



CITY COUNCIL AGENDA

Tuesday, February 2, 2016

7:00 p.m.

**Coon Rapids City Center
Council Chambers**

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Proclamations/Presentations

Approval of Minutes of Previous Meeting

1. Approve Minutes of January 19, 2016

Consent Agenda

2. Adopt Resolution 16-27 Accepting Donation of Real Property
3. Approve Final Payment for Project 14-3, Street Reconstruction

Public Hearing

4. Conduct a Public Hearing and Consider Adoption of Ordinance 2156 Amending Chapter 10-600 Crooked Lake No Wake Regulations

Bid Openings and Contract Awards

Old Business

5. Consider Adoption of Ordinance 2157 Regarding Brew Pubs, Breweries, Taprooms, Distilleries and Cocktail Rooms
6. Consider Adoption of Ordinance 2158, Amending Chapter 12-202 Rules Regarding Plumbing Code

New Business

7. PC 16-4: Consider Resolution 16-25 Approving Registered Land Survey, 12856 Crooked Lake Boulevard, Rachel Neiman
8. PC 15-35: Consider Preliminary Plat, 11301 Dogwood St. (Northdale Middle School and Eisenhower Elementary School property), Anderson Johnson Assoc.
9. PC 16-3: Consider Introduction of an Ordinance Revising the Allowed Exterior Building Materials
10. Consider Resolution 16-26 Authorizing Sale of Tax-Forfeited Property
11. Consider Documents for Anoka County Right-of-Way Acquisition, 11313 Foley Boulevard
12. Kurt Sutherland, 1610-1620 107th Avenue NW, Rental License Denial Appeal
13. Consider Resolution 16-29, A Resolution Amending the 2016 Budget for the Joint Law Enforcement Council and Consider Agreement with JLEC
14. Consider Resolution 16-28 Amending the 2016 Facility Construction Budget to Fund Card Readers and Security Cameras for City Center Building
15. Consider Resolution 16-30, Accepting the Donation of a Lifepak AED and Approve Budget Amendment for the Purchase of an additional Lifepak AED

Open Mic/Public Comment

Reports on Previous Open Mic

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 02/02/2016

SUBJECT: Approve Minutes of January 19, 2016

Attachments

January 19, 2016

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF JANUARY 19, 2016

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of January was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, January 19, 2016, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Koch led the Council in the Pledge of Allegiance.

ROLL CALL

Members Present: Mayor Jerry Koch, Councilmembers Denise Klint, Ron Manning, Wade Demmer, Jennifer Geisler, Brad Johnson and Steve Wells

Members Absent: None

ADOPT AGENDA

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER MANNING, TO ADOPT THE AGENDA AS PRESENTED, NOTING THE AMENDED MINUTES FOR JANUARY 5, 2016 AND THE REVISED NO WAKE ORDINANCE FOR CROOKED LAKE. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

1. SNOWFLAKE DAYS PROCLAMATION

Mayor Koch read a proclamation in full for the record declaring January 28 through February 13, 2016 to be Snowflake Days in the City of Coon Rapids. He detailed the numerous events planned for Snowflake Days and encouraged the public to get involved in this wonderful family-friendly winter celebration. He thanked all of the wonderful volunteers who make this event possible year after year.

Diane Buszta discussed the fun events planned for Snowflake Days over the next two weeks. She noted the Mayor's Golf Simulator Cup event was almost full. She looked forward to

attending the movie on the ice and noted Mighty Ducks would be screened. She encouraged the public to participate in this free event. She reported all of the planned events were listed on the Snowflake Days website. She thanked all of the local volunteers for assisting in planning this years' festivities.

Bruce Sanders thanked all of the Marquis that have gone before him. He encouraged the public to attend the alumni hockey game and to participate in the men's and women's pickle ball tournament.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

2. JANUARY 5, 2016, COUNCIL MEETING

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, FOR APPROVAL OF THE MINUTES OF THE JANUARY 5, 2016, COUNCIL MEETING. THE MOTION PASSED 6-0-1 (JOHNSON ABSTAINED).

CONSENT AGENDA/INFORMATIONAL BUSINESS

3. APPROVE EXPANDED USE OF CITY ISSUED CREDIT CARDS
4. ADOPT RESOLUTION 16-22 AND 16-23 ADOPTING MISC. 2016-1 APPEALED ASSESSMENTS
5. APPROVE FINAL PAYMENT FOR PROJECT 15-25, HOOVER ELEMENTARY PARK TRAIL RECONSTRUCTION
6. APPROVE FINAL PAYMENT FOR PROJECT 15-11, MISCELLANEOUS BITUMINOUS REPAIRS
7. APPROVE FINAL PAYMENT FOR PROJECT 14-4, STREET RECONSTRUCTION
8. APPROVE FINAL PAYMENT FOR PROJECT 15-23, COON RAPIDS BOULEVARD TRAIL REHABILITATION
9. APPOINT AL HOFSTEDT AS CHAIR OF THE SAFETY COMMISSION
10. AUTHORIZE PURCHASE OF POLICE VEHICLES AT A TOTAL COST OF \$106,490.33
11. RECEIVE AND APPROVE 2016 PAY EQUITY IMPLEMENTATION REPORT APPROVAL

Mayor Koch noted the Safety Commission now has five vacancies. He encouraged those interested in serving on this committee to contact City Hall for further information.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

None.

BID OPENINGS AND CONTRACT AWARDS

12. CONSIDER RESOLUTION NO. 16-7(9) AWARDING CONTRACT FOR 2016 WELL REHABILITATION PROGRAM

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-7(9) AWARDING CONTRACT TO BERGERSON-CASWELL, INC. FOR \$453,825.00 FOR REHABILITATION OF WELL NOS. 15, 21, 24 AND 25. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

None.

NEW BUSINESS

13. CONSIDER EASEMENT AGREEMENTS FOR PROJECT 14-27, 85TH AVENUE TRAIL CONSTRUCTION

The Staff report was shared with Council.

Mayor Koch questioned how much the City would be spending on the easements for this project. Public Works Director Himmer stated this was somewhat private information.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, TO ACCEPT PERMANENT EASEMENTS TO FACILITATE CONSTRUCTION OF THE PROPOSED 85TH AVE TRAIL, AS DETAILED HEREIN, AND AUTHORIZE THE EXECUTION OF THE AGREEMENTS BETWEEN THE CITY OF COON RAPIDS AND LANDOWNERS OF THE PROPERTIES LISTED BY STAFF. THE MOTION PASSED UNANIMOUSLY.

14. PC 15-36: CONSIDER INTRODUCTION OF AN ORDINANCE REGARDING BREW

PUBS, BREWERIES, TAPROOMS, DISTILLERIES AND COCKTAIL ROOMS

The Staff report was shared with Council.

Mayor Koch asked if this Ordinance would allow for Sunday growler sales. City Attorney Brodie reported this would be covered under the proposed Ordinance.

Mayor Koch considered the Ordinance for Planning Case 15-36 establishing regulations where brewpubs, breweries, taproom, distilleries and cocktail rooms can locate and establishing definitions of common terms to be introduced.

15. CONSIDER INTRODUCTION OF A NO WAKE ORDINANCE ON CROOKED LAKE
 DURING TIMES OF HIGH WATER LEVEL

The Staff report was shared with Council.

Mayor Koch considered the Ordinance regarding the no wake on Crooked Lake during times of high water levels to be introduced.

16. CONSIDER RESOLUTION NO. 14-27(8) ACCEPTING PLANS AND
 SPECIFICATIONS FOR 85TH AVENUE TRAIL CONSTRUCTION, AND
 AUTHORIZING SOLICITATION OF BIDS

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 14-27(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR 85TH AVENUE TRAIL CONSTRUCTION. THE MOTION PASSED UNANIMOUSLY.

17. CONSIDER INTRODUCTION OF ORDINANCE ADOPTING 2012 MINNESOTA
 PLUMBING CODE

The Staff report was shared with Council.

Mayor Koch considered the Ordinance adopting the 2012 Minnesota Plumbing Code to be introduced.

OPEN MIC/PUBLIC COMMENT

Mayor Koch reviewed the rules of order for the Open Mic/Public Comment portion of the meeting.

Abigail Foss, Anoka Middle School for the Arts, explained she and her friends were participating in the Samsung STEM for Tomorrow Contest. Ms. Foss indicated her teacher, Mrs. Marshall, has already completed the first two phases of the contest and won the school \$20,000. She discussed the goal of the contest and noted the groups focus was on homelessness. It was the groups' goal to raise awareness on the issue of homelessness and to provide shelter during the cold winter months.

Katelyn Worzonek explained she and her team was working to build a model of a half-size home which would be 8' x 6' x 8' in size when complete.

Chloe Isted asked what the legal issues were surrounding the proposed half-scale home units and questioned where the units could be placed within the City of Coon Rapids. She requested the Council sign the release agreements, which would allow the Councilmembers to be in a video.

Becky Marshall, teacher at Anoka Middle School for the Arts, noted 38 students were working on the homelessness initiative. She indicated her students were reaching out to neighboring communities to see if there would be a place for the half-size homes. She encouraged the Council to contact her with any questions or comments.

Mayor Koch thanked the ladies for their work in addressing homelessness.

Councilmember Klint asked if there was a way for the City Council to follow the progress of this initiative. Ms. Marshall indicated The Star Tribune would be following the groups' progress.

REPORTS ON PREVIOUS OPEN MIC

None.

OTHER BUSINESS

City Manager Stemwedel reported there would be a panel discussion at City Hall regarding homelessness on Thursday, January 21st from 2:00 to 4:00 p.m. The public was invited to attend this free event.

Fire Chief Piper explained Governor Dayton has recommended 50% of the funding for the Hanson grade separation project be included in the 2016 jobs bill. He reported 30% of the

project would be covered by the County, 5% would be funded by the City and the remainder would be covered by the railroad.

Mayor Koch questioned when residents would be able to learn more about the proposed Hanson bridge. Public Works Director Himmer anticipated an Open House would be held in March to inform those directly impacted by the bridge plans.

Public Works Director Himmer stated on Tuesday, January 26th there would be an Alliance for Sustainability Program at City Hall from 3:30 p.m. to 6:15 p.m.

ADJOURN

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER DEMMER, TO ADJOURN THE MEETING AT 7:38 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

2.

Meeting Date: 02/02/2016

Subject: Adopt Resolution 16-27 Accepting Donation of Real Property

From: Matt Brown, Economic
Development Coordinator

INTRODUCTION

The Council is asked to adopt a resolution accepting the donation of real property from Shamrock Development and its affiliates and accepting warranty deeds.

DISCUSSION

Staff has been working with representatives of Shamrock Development to convey various undevelopable parcels to the City. Several of these were required to be conveyed to the City by plat approvals many years ago. Others are remnant parcels created as a result of past title issues. In all cases, the City's Comprehensive Plan guides the areas for open space or other public purposes. At this time, the Council is asked to accept the donation of the ten parcels listed below. Staff continues to work with Shamrock on conveyance of an additional parcel at 2245 Main Street, adjacent to Bison Creek Park. Because a stormwater pond serving the Ashley Oaks subdivision lies partially on this parcel, Staff is working with Shamrock and the homeowners' association to secure the necessary easements before asking the Council to accept a deed.

Parcel A. Outlot A, Wedgewood Parc 6th Addition, PIN 08-31-24-41-0068. While the plat approval (PC92-03) did not require conveyance of the property to the City, the approval required rezoning to Conservancy. Because the property functions as wetland/open space, it makes sense to convey to the City.

Parcel B. Outlot A, Springbrook Cove, PIN 03-30-24-21-0124. Plat approval (PC 92-10) required a drainage easement, but no easement was received or recorded. Because the parcel contains a City-maintained stormwater pond, conveyance to the City is acceptable in lieu of the drainage easement.

Parcels C, D, and E. Outlots A, B, and C, Wexford 2nd Addition, PIN 02-31-24-34-0058, 02-31-24-34-0059, 02-31-24-33-0185. Plat approval (PC 01-69A and 01-69B) required conveyance of all three outlots to the City. A trail has since been constructed on the properties.

Parcel F. Outlot A, Oaks of Shenandoah 7th Addition, PIN 03-31-24-32-0111. Plat approval required conveyance to City for street stub serving the Lawrence Sod Farm.

Parcel G. Creek Meadow Drive, PIN 14-31-24-24-0020. The City has easements over nearly all of the parcel for street, slopes, and drainage. The remainder has little value, other than for open space. As a result, it makes sense to convey it to the City.

Parcel H. Xeon Street, PIN 14-31-24-42-0012. The City has a street easement over the entire parcel.

Parcel I. Sand Creek at University Avenue, PIN 12-31-24-44-0031. Sand Creek runs though middle of property. The City owns adjacent property and it is guided for open space in the Comprehensive Plan.

Parcel J. Marshland Park, PIN 09-31-24-23-0004. A City trail passes though this property, which is located in the middle of the park.

RECOMMENDATION

Staff recommends that the Council adopt Resolution 16-27 accepting the donation of real property and accepting warranty deeds.

Attachments

Maps

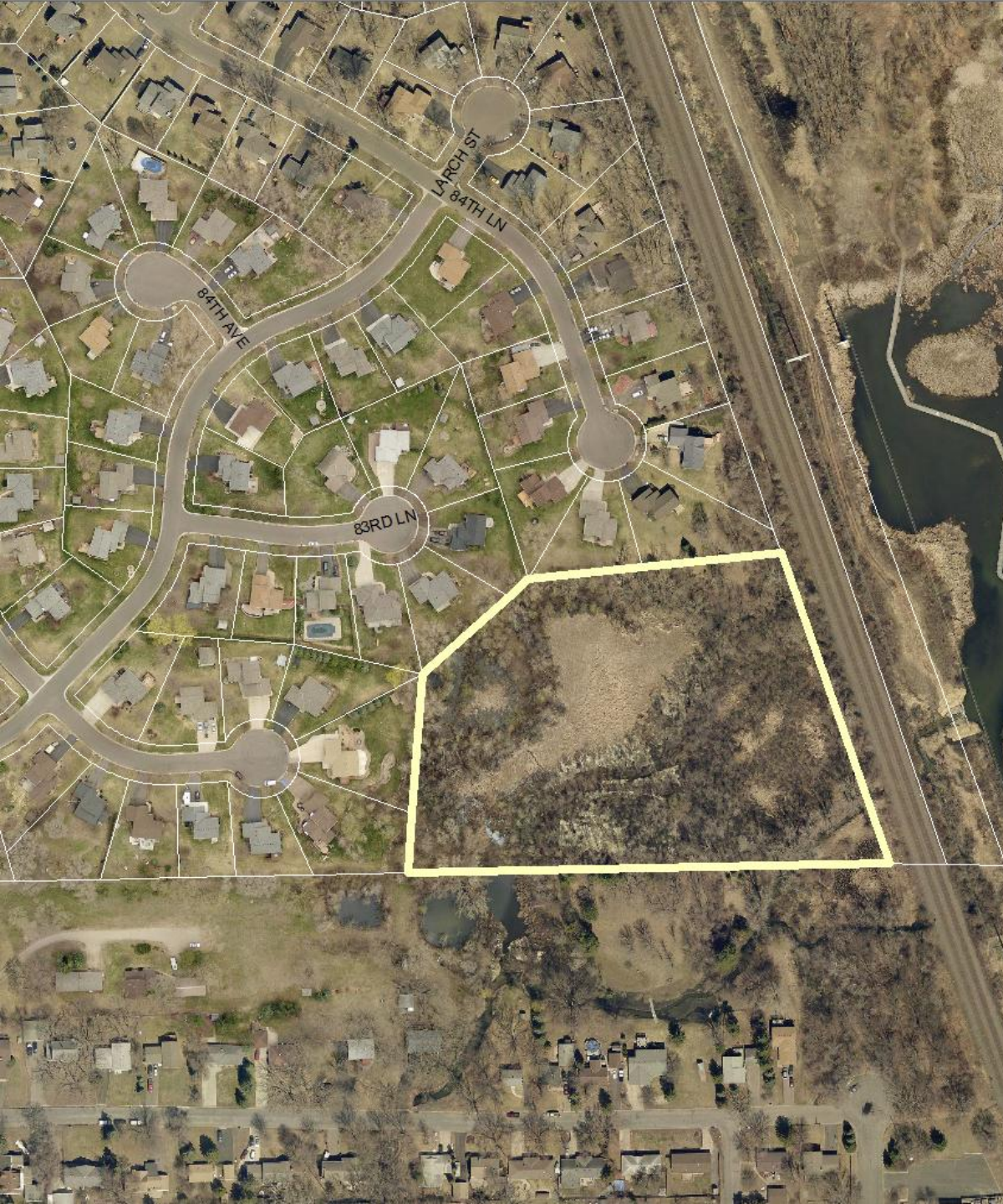
Resolution 16-27

Warranty Deeds



Parcel A

- Outlot A, Wedgewood Parc 6th Addn.
- PC 92-03; required rezoning to Conservancy per plat approval
- Largely wetland



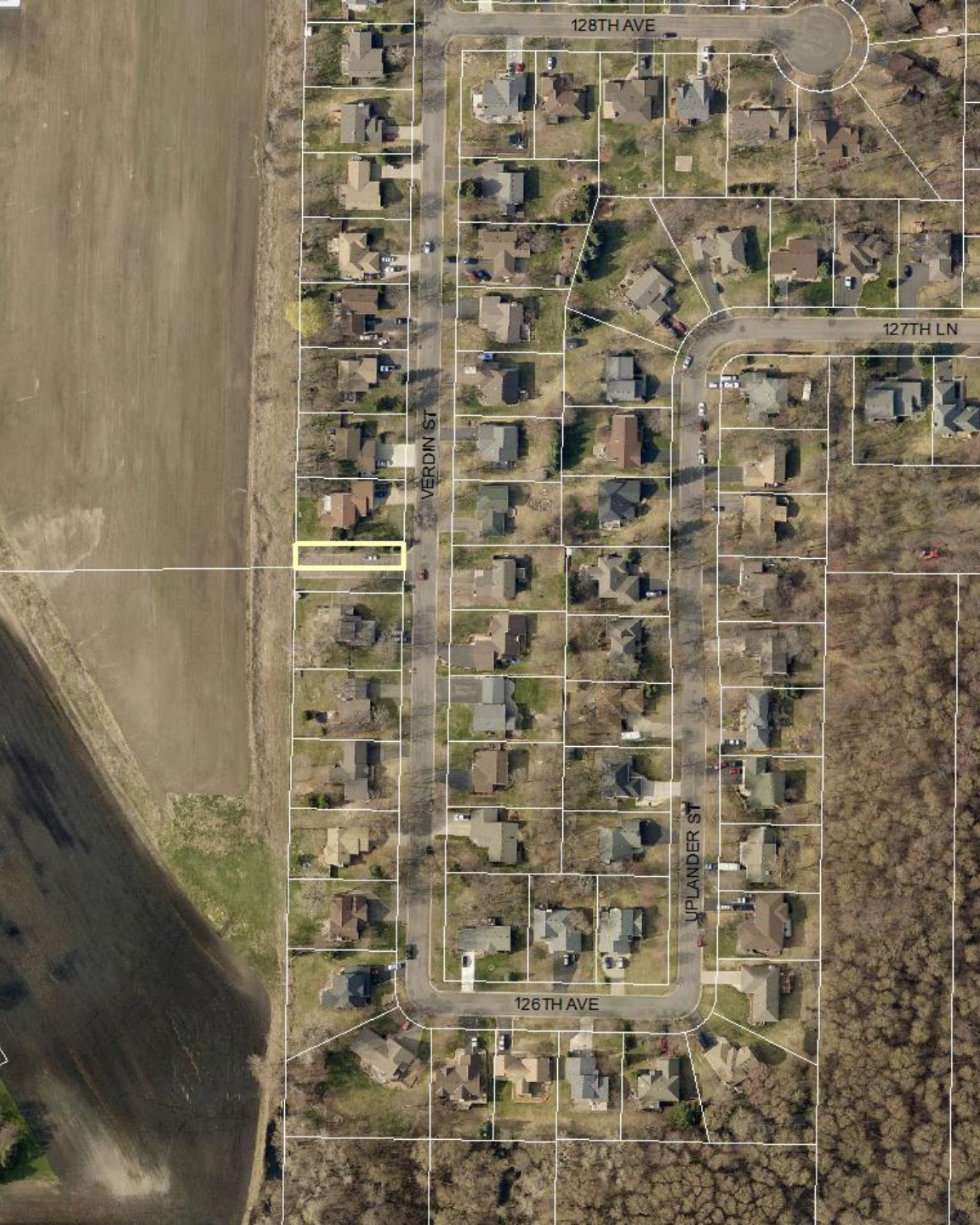
Parcel B

- Outlot A, Springbrook Cove
- PC 92-10; plat approval required drainage easement, but never received
- Access from Fridley



Parcels C,D, and E

- Outlots A, B, C, Wexford 2nd Addn.
- PC 01-69B reqd. A and B to be deeded to City
- PC 01-69A reqd. C to be deeded to City
- City has trail on these lots; does not appear to be an easement



Parcel F

- Outlot A, Oaks of Sheneandoah, 7th Addn.
- PC 85-180 reqd. conveyance to City for street stub to Lawrence sod farm



Parcel G

- Wetland, creek, drainage
- City has easements for street, slopes, utilities



Parcel H

- City has street easement over entire parcel

the dropdown
point on the map
at location

- City owns adjacent property
- Creek runs through parcel



- City owns surrounding property
- Trail runs through parcel

RESOLUTION NO. 16-27

RESOLUTION ACCEPTING THE DONATION OF REAL PROPERTY AND ACCPETING WARRANTY DEEDS

WHEREAS, Shamrock Development and affiliated entities are the owners of the following properties in Coon Rapids, Minnesota:

Parcel A:

Fee owner: Shamrock Development, inc.

PID: 08-31-24-41-0068

Legal: Outlot B, Wedgewood Parc 6th Addition, Anoka County, Minnesota

Parcel B:

Fee owner: Shamrock Development, Inc.

PID: 03-30-24-24-0124

Legal: Outlot A, Springbrook Cove, Anoka County, Minnesota

Parcel C:

Fee owner: Twin Peaks Properties, LLC

PID: 02-31-24-34-0058

Legal: Outlot A, Wexford Second Addition, Anoka County, Minnesota

Parcel D:

Fee owner: Twin Peaks Properties, LLC

PID: 02-31-24-34-0059

Legal: Outlot B, Wexford Second Addition, Anoka County, Minnesota

Parcel E:

Fee owner: Twin Peaks Properties, LLC

PID: 02-31-24-33-0185

Legal: Outlot C, Wexford, Anoka County, Minnesota

Parcel F:

Fee owner: Shamrock Builders, Inc.

PID: 03-31-24-32-0111

Legal: Outlot A, Oaks of Shenandoah 7th Addition, Anoka County, Minnesota

Parcel G:

Fee owner: Shamrock Development, Inc.

PID: 14-31-24-24-0020

Legal: Lot 1, Block 6, in Dart Park North 1st Addition, Anoka County, Minnesota

Parcel H:

Fee owner: Shamrock Development, Inc.

PID: 14-31-24-42-0012

Legal: Outlot D, Registered Land Survey No. 179, Anoka County, Minnesota

Parcel I:

Fee owner: Shamrock Development, Inc.

PID: 12-31-24-44-0031

Legal: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 31, Range 24, described as follows: Beginning at a point on the East line of said Quarter Quarter a distance of 305 feet North of the Southeast corner thereof; thence continuing North on said East line to the centerline of County Ditch 26 and 41; thence Southwesterly along said centerline to the intersection of a line running West parallel with the South line of said Quarter Quarter from the point of beginning; thence West on said parallel line to the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence South along said West line to the Southwest corner of said quarter quarter; thence East along said South line to the Southeast corner of said Quarter Quarter; thence North along the East line thereof 305 feet to the point of beginning, Anoka County, Minnesota.

Parcel J:

Fee owner: James M Stanton

PID: 09-31-24-23-0004

Legal: That part of the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 9, Range 31, Township 24, except that part platted as Lundgren Oaks, and except that part platted as Shenandoah Woods, Anoka County, Minnesota; and

WHEREAS, City ownership of these parcels for public purposes is supported by the City's Comprehensive Plan policies and/or individual subdivision approvals; and

WHEREAS, Minn. Stat. 465.03 allows cities to accept donations of real or personal property by resolution adopted by a two-thirds majority vote of Council; and

WHEREAS, the City Council finds the offered donation to be in the public interest; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that donation of the aforementioned real properties is hereby accepted and warranty deeds for the properties are hereby accepted.

Adopted by the Coon Rapids City Council this 2nd day of February, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

(Top 3 inches reserved for recording data)

WARRANTY DEED
Individual(s) to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.3 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, James M. Stanton, single

(insert name and marital status of each Grantor)

_____ ("Grantor"),

hereby conveys and warrants to City of Coon Rapids

(insert name of each Grantee)

a municipal corporation under the laws of Minnesota ("Grantee"),

real property in Anoka County, Minnesota, legally described as follows:

That part of the South ½ of the SW ¼ of the Northwest ¼ of Section 9, Range 31, Township 24, except that part platted as Lundgren Oaks, and except that part platted as Shenandoah Woods, Anoka County, Minnesota

Consideration for this deed is less than \$500.00

Subject to restrictions, reservations, and easements of record, if any

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

(signature)

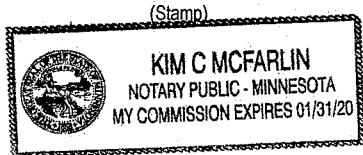
James M. Stanton

(signature)

State of Minnesota, County of Anoka

This instrument was acknowledged before me on January 15, 2016, by _____
(month/day/year)

James M. Stanton, single
(insert name and marital status of each Grantor)



(signature of notarial officer) Kim C. McFarlin

Title (and Rank): Notary Public

My commission expires: 1/31/2020
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Riverdale Realty, Ltd.
3200 Main Street NW
Suite 300
Coon Rapids, MN 55448

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantee)

City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55448

(Top 3 inches reserved for recording data)

WARRANTY DEED
Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Shamrock Development, Inc.

(insert name of Grantor)

a Corporation under the laws of Minnesota ("Grantor"),

hereby conveys and warrants to City of Coon Rapids

(insert name of Grantee)

a municipal corporation under the laws of Minnesota ("Grantee"),

real property in Anoka County, Minnesota, legally described as follows:

Outlot B, Wedgewood Parc 6th Addition, Anoka County, Minnesota

Consideration for this deed is less than \$500.00

Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☒

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Shamrock Development, Inc.

(name of Grantor)

By: _____

(signature)

Lynn Leegard

Its: Sr. Vice President

(type of authority)

By: _____

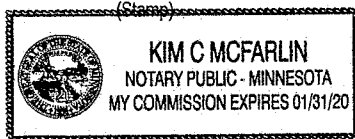
(signature)

Its: _____

(type of authority)

State of Minnesota, County of Anoka

This instrument was acknowledged before me on January 15, 2016, by Lynn Leegard
(month/day/year) (name of authorized signer)
as Sr. Vice President
(type of authority)
and by _____
(name of authorized signer)
as _____ of Shamrock Development, Inc.
(type of authority) (name of Grantor)



(signature of notarial officer) Kim C. McFarlin
Title (and Rank): Notary Public
My commission expires: 1/31/2020
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Riverdale Realty, Ltd.
3200 Main Street, Suite 300
Coon Rapids, MN 55448

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantee)

City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

(Top 3 inches reserved for recording data)

WARRANTY DEED
Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Shamrock Development, Inc.
(insert name of Grantor)

a Corporation under the laws of Minnesota ("Grantor"),
hereby conveys and warrants to City of Coon Rapids
(insert name of Grantee)

a municipal corporation under the laws of Minnesota ("Grantee"),
real property in Anoka County, Minnesota, legally described as follows:

Outlot A, Springbrook Cove, Anoka County, Minnesota
Consideration for this deed is less than \$500.00

Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☒

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

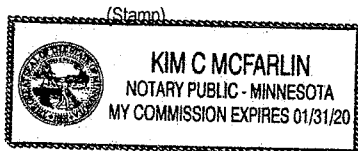
Shamrock Development, Inc.
(name of Grantor)

By: [Signature]
(signature)

Its: Sr. Vice President
(type of authority)

By: _____
(signature)

Its: _____
(type of authority)

State of Minnesota, County of AnokaThis instrument was acknowledged before me on January 15, 2016, by Lynn Leegard
(month/day/year) (name of authorized signer)as Sr. Vice President
(type of authority)and by _____
(name of authorized signer)as _____ of Shamrock Development, Inc.
(type of authority) (name of Grantor)

7

(signature of notarial officer) Kim C. McFarlin

Title (and Rank): Notary PublicMy commission expires: 1/31/2020
(month/day/year)THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)Riverdale Realty, Ltd.
3200 Main Street, Suite 300
Coon Rapids, MN 55448TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantee)City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

(Top 3 inches reserved for recording data)

WARRANTY DEED
Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Twin Peaks Properties, LLC

(insert name of Grantor)

a limited liability company _____ under the laws of Minnesota ("Grantor"),

hereby conveys and warrants to City of Coon Rapids

(insert name of Grantee)

a municipal corporation _____ under the laws of Minnesota ("Grantee"),

real property in Anoka County, Minnesota, legally described as follows:

Outlot A, Wexford Second Addition, Anoka County, Minnesota

Consideration for this deed is less than \$500.00

Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☒

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Twin Peaks Properties, LLC

(name of Grantor)

By: _____

(signature) Michael J. Kraling

Its: Vice President
(type of authority)

By: _____

(signature)

Its: _____

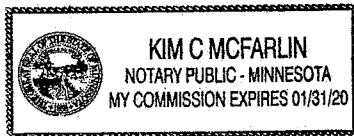
(type of authority)

State of Minnesota, County of AnokaThis instrument was acknowledged before me on January 15, 2016, by Michael J. Kraling
(month/day/year) (name of authorized signer)as Vice President

(type of authority)

and by _____
(name of authorized signer)as _____ of Twin Peaks Properties, LLC
(type of authority) (name of Grantor)

(Stamp)

(signature of notarial officer) Kim C. McFarlinTitle (and Rank): Notary PublicMy commission expires: 1/31/2016
(month/day/year)THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)Riverdale Realty, Ltd.
3200 Main Street, Suite 300
Coon Rapids, MN 55448TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantee)City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

(Top 3 inches reserved for recording data)

WARRANTY DEED
Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Twin Peaks Properties, LLC

(insert name of Grantor)

a limited liability company under the laws of Minnesota ("Grantor"),

hereby conveys and warrants to City of Coon Rapids

(insert name of Grantee)

a municipal corporation under the laws of Minnesota ("Grantee"),

real property in Anoka County, Minnesota, legally described as follows:

Outlot B, Wexford Second Addition, Anoka County, Minnesota
Consideration for this deed is less than \$500.00

Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☒

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Twin Peaks Properties, LLC

(name of Grantor)

By: _____

(signature) Michael J. Kraling

Its: Vice President
(type of authority)

By: _____

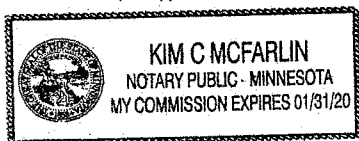
(signature)

Its: _____
(type of authority)

State of Minnesota, County of Anoka

This instrument was acknowledged before me on January 15, 2016, by Michael J. Kraling
(month/day/year) (name of authorized signer)
 _____ as Vice President
(type of authority)
 and by _____
(name of authorized signer)
 as _____ of Twin Peaks Properties, LLC
(type of authority) (name of Grantor)

(Stamp)



(signature of notarial officer) Kim C. McFarlin
 Title (and Rank): Notary Public
 My commission expires: 1/31/2016
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Riverdale Realty, Ltd.
 3200 Main Street, Suite 300
 Coon Rapids, MN 55448

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
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(insert legal name and residential or business address of Grantee)

City of Coon Rapids
 11155 Robinson Drive
 Coon Rapids, MN 55433

(Top 3 inches reserved for recording data)

WARRANTY DEED
Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Twin Peaks Properties, LLC

(insert name of Grantor)

a limited liability company _____ under the laws of Minnesota ("Grantor"),
hereby conveys and warrants to City of Coon Rapids

(insert name of Grantee)

a municipal corporation _____ under the laws of Minnesota ("Grantee"),
real property in Anoka County, Minnesota, legally described as follows:

Outlot C, Wexford, Anoka County, Minnesota

Consideration for this deed is less than \$500.00
Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

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Grantor

Twin Peaks Properties, LLC

(name of Grantor)

By: _____
(signature) Michael J. Knaling

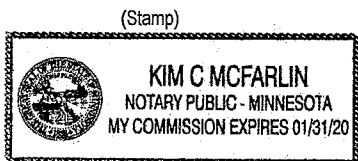
Its: Vice President
(type of authority)

By: _____
(signature)

Its: _____
(type of authority)

State of Minnesota, County of Anoka

This instrument was acknowledged before me on January 15, 2016, by Michael J. Kraling
(month/day/year) (name of authorized signer)
 _____ as Vice President
(type of authority)
 and by _____
(name of authorized signer)
 as _____ of Twin Peaks Properties, LLC
(type of authority) (name of Grantor)



[Redacted Signature]
(signature of notarial officer) Kim C. McFarlin
 Title (and Rank): Notary Public
 My commission expires: 1/31/2020
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Riverdale Realty, Ltd.
 3200 Main Street, Suite 300
 Coon Rapids, MN 55448

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 Coon Rapids, MN 55433

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WARRANTY DEED
Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Shamrock Builders, Inc.

(insert name of Grantor)

a Corporation under the laws of Minnesota ("Grantor"),
hereby conveys and warrants to City of Coon Rapids

(insert name of Grantee)

a municipal corporation under the laws of Minnesota ("Grantee"),

real property in Anoka County, Minnesota, legally described as follows:

Outlot A, Oaks of Shenandoah 7th Addition, Anoka County, Minnesota

Consideration for this deed is less than \$500.00
Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☒

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Shamrock Builders, Inc.

(name of Grantor)

By: _____

(signature)

Lynn Leegard

Its: Vice President

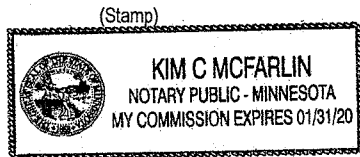
(type of authority)

By: _____

(signature)

Its: _____

(type of authority)

State of Minnesota, County of AnokaThis instrument was acknowledged before me on January 15, 2016, by Lynn Leegard
(month/day/year) (name of authorized signer)as Vice President
(type of authority)and by _____
(name of authorized signer)as _____ of Shamrock Builders, Inc.
(type of authority) (name of Grantor)

(signature of notarial officer) Kim C. McFarlin

Title (and Rank): Notary PublicMy commission expires: 1/31/2020
(month/day/year)THIS INSTRUMENT WAS DRAFTED BY:
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3200 Main Street, Suite 300
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Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: Janaury 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Shamrock Development, Inc.

(insert name of Grantor)

a Corporation under the laws of Minnesota ("Grantor"),
hereby conveys and warrants to City of Coon Rapids

(insert name of Grantee)

a municipal corporation under the laws of Minnesota ("Grantee"),
real property in Anoka County, Minnesota, legally described as follows:

Lot 1, Block 6, in Dart Park North 1st Addition, Anoka County, Minnesota
Consideration for this deed is less than \$500.00

Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☒

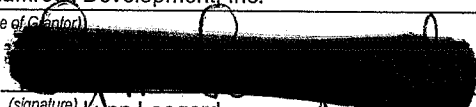
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
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- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Shamrock Development, Inc.
(name of Grantor)

By: 
(signature) Lynn Leegard

Its: Sr. Vice President
(type of authority)

By: _____
(signature)

Its: _____
(type of authority)

State of Minnesota, County of Anoka

This instrument was acknowledged before me on January 15, 2016, by Lynn Leegard
(month/day/year) (name of authorized signer)
 as Sr. Vice President
(type of authority)
 and by _____
(name of authorized signer)
 as _____ of Shamrock Development, Inc.
(type of authority) (name of Grantor)

(Stamp)



[Signature]
(signature of notarial officer) Kim C. McFarlin
 Title (and Rank): Notary Public
 My commission expires: 1/31/2020
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Riverdale Realty, Ltd.
 3200 Main Street, Suite 300
 Coon Rapids, MN 55448

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eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Shamrock Development, Inc.
(insert name of Grantor)

a Corporation under the laws of Minnesota ("Grantor"),
hereby conveys and warrants to City of Coon Rapids
(insert name of Grantee)

a municipal corporation under the laws of Minnesota ("Grantee"),
real property in Anoka County, Minnesota, legally described as follows:

Outlot D, Registered Land Survey No. 179, Anoka County, Minnesota
Consideration for this deed is less than \$500.00
Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
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Grantor

Shamrock Development, Inc.
(name of Grantor)

By: [Signature]
(signature) Lynn Leegard
Its: Sr. Vice President
(type of authority)

By: _____
(signature)

Its: _____
(type of authority)

State of Minnesota, County of Anoka

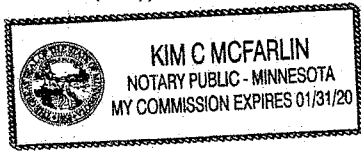
This instrument was acknowledged before me on January 15, 2016, by Lynn Leegard
(month/day/year) (name of authorized signer)

as Sr. Vice President
(type of authority)

and by _____
(name of authorized signer)

as _____ of Shamrock Development, Inc.
(type of authority) (name of Grantor)

(Stamp)



[Redacted Signature]
(signature of notarial officer) Kim C. McFarlin

Title (and Rank): Notary Public

My commission expires: 1/31/2020
(month/day/year)

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Form 10.1.9 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: January 15, 2016
(month/day/year)

FOR VALUABLE CONSIDERATION, Shamrock Development, Inc.,
(insert name of Grantor)

a Corporation _____ under the laws of Minnesota ("Grantor"),
hereby conveys and warrants to City of Coon Rapids
(insert name of Grantee)

a municipal corporation _____ under the laws of Minnesota ("Grantee"),
real property in Anoka County, Minnesota, legally described as follows:

SEE ATTACHED EXHIBIT A

Consideration for this deed is less than \$500.00
Subject to restrictions, reservations, and easements of record, if any.

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

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Grantor

Shamrock Development, Inc.
(name of Grantor)

By: _____
(signature) Lynn Leegard

Its: Sr. Vice President
(type of authority)

By: _____
(signature)


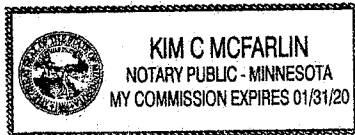
Its: _____
(type of authority)

State of Minnesota, County of AnokaThis instrument was acknowledged before me on January 15, 2016, by Lynn Leegard
(month/day/year) (name of authorized signer)as Sr. Vice President

(type of authority)

and by _____
(name of authorized signer)as _____ of Shamrock Development, Inc.
(type of authority) (name of Grantor)

(Stamp)


(signature of notarial officer) Kim C. McFarlinTitle (and Rank): Notary PublicMy commission expires: 1/31/2020
(month/day/year)THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)Riverdale Realty, Ltd.
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Coon Rapids, MN 55448TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address of Grantee)

City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

EXHIBIT A

That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 31, Range 24, described as follows:
Beginning at a point on the East line of said Quarter Quarter a distance of 305 feet North of the Southeast corner thereof; thence continuing North on said East line to the centerline of County Ditch 26 and 41; thence Southwesterly along said centerline to the intersection of a line running West parallel with the South line of said Quarter Quarter from the point of beginning; thence West on said parallel line to the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence South along said West line to the Southwest corner of said quarter quarter; thence East along said South line to the Southeast corner of said Quarter Quarter; thence North along the East line thereof 305 feet to the point of beginning, Anoka County, Minnesota.



City Council Regular

3.

Meeting Date: 02/02/2016

Subject: Approve Final Payment for Project 14-3, Street Reconstruction

Submitted For: Sharon Legg, Finance Director

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to North Valley, Inc. in the amount of \$32,159.59 for Project 14-3, Street Reconstruction.

DISCUSSION

A summary of Project 14-3 is as follows:

Contract completion date	10/17/14
Substantial completion date	9/26/14
Final completion date	10/17/14
Contract amount	\$1,636,777.80
Total additions/deletions	\$25,140.50
Final contract amount	\$1,661,918.30
Actual project costs	\$1,779,242.84
Less: previous payments by City	(\$1,747,083.25)
Amount due	\$32,159.59
Amount over final contract	\$117,324.54

The changes to the project were for miscellaneous items (additional gate valves, sleeves, pipes) needed to complete the project. The actual project costs were more than the final contract amount due to more work performed than actual bid.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of change order and final payment to North Valley, Inc. in the amount of \$32,159.59 for Project 14-3, Street Reconstruction.



City Council Regular

4.

Meeting Date: 02/02/2016

Subject: Conduct a Public Hearing and Consider Adoption of Ordinance 2156 Amending Chapter 10-600 Crooked Lake No Wake Regulations

From: Scott Harlicker, Planner

INTRODUCTION

Staff is requesting the City Council conduct a public hearing and consider approval of Ordinance 2156 amending Chapter 10-600 Crooked Lake No Wake Regulations. The ordinance would be in affect during times of high water level. The proposed ordinance is necessary to incorporate changes made by the Department of Natural Resources (DNR) to the previously approved ordinance.

DISCUSSION

On September 15, 2015, Council approved an ordinance establishing the no wake regulations for Crooked Lake. The approved ordinance was sent to the DNR for their review and approval. In October, the DNR responded and had three changes they required to the ordinance. These were minor grammatical changes regarding a reference to state statute, a reference regarding public hearing notices and verifying the lake water level.

The reference to state statute regarding definitions was removed (Section 10-602). If that language were included, all definitions would have to match those in state statute. It was simpler to remove the reference. The City of Andover's website was added to the section regarding where notifications of high water level would be posted (Section 10-603(2)). The City of Coon Rapids was removed from list of entities that would have to verify the water level (Section 10-603(1)). Those changes were made and sent back to the DNR for their review. In December the DNR responded and indicated that the new language was approved.

The proposed ordinance the Council is considering for approval includes the changes required by the DNR.

City Council Meeting

At the January 19th City Council meeting, Council introduced the proposed ordinance.

RECOMMENDATION

Staff recommends the City Council approve the attached Ordinance 2156 amending Chapter 10-600, No Wake Regulations for Crooked Lake.

Attachments

Ordinance 2156



==
ORDINANCE NO. 2156

**AN ORDINANCE
AMENDING REVISED CITY CODE- 1982,
CHAPTER 10-600 CROOKED LAKE NO WAKE REGULATIONS**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 10-600, Crooked Lake No Wake Regulations
is hereby amended as follows: (Deletions in brackets, additions double underlined)

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 10-600

CROOKED LAKE NO WAKE REGULATIONS

10-601 Purpose. As authorized by Minnesota Statutes 86B.201, 86B.205, and 459.20, AND Minnesota Rules 6110.3000 – 6110.3800 as now in effect and as hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of waters of Crooked Lake in the Cities of Coon Rapids and Andover, Minnesota, to promote its fullest use and enjoyment by the public in general and the citizens of the Cities of Coon Rapids and Andover in particular, to insure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety and welfare of the citizens of the Cities of Coon Rapids and Andover, Minnesota.

10-602 Definitions. The following words and phrases, [~~in accordance with Minnesota Statute 86B.005,~~] when used in this chapter, shall have the meanings set forth as follows:

- (1) “Operate” means to navigate or otherwise use a watercraft.
- (2) “Person” Includes an individual, partnership, corporation or any body of persons, whether incorporated or formed as an association or not.
- (3) “Crooked Lake” means that body of water that is shared between the cities of Andover and Coon Rapids and assigned the lake identification number of 02008400 by the Minnesota Department of Natural Resources.
- (4) “High Water” means an elevation of 861.6’ or greater above mean sea level on

Crooked Lake as determined by the Coon Creek Watershed District.

- (5) “Shore” means the line separating land and water which shifts as lake levels increase and decrease.

(6) "Slow No-Wake" means the operation of a watercraft at the slowest possible speed necessary to maintain steerage and in no case greater than five (5) miles per hour.

(7) "Watercraft" means any contrivance used or designed for navigation on water, as defined in Minnesota Statutes Section 86B.005, Subdivision 18.

10-603 Watercraft Speed Limitations.

(1) No person shall operate a watercraft at greater than a slow no-wake speed on the entire Lake when the water level reaches eight hundred sixty one point six feet (861.6') sea level, as measured by the City of Andover and the Coon Creek Watershed District gauge [~~and verified by the City of Coon Rapids~~].

(2) When the water level of Crooked Lake reaches 861.6' sea level, the City Manager or designee shall arrange to have notice of the no-wake provision posted at all public water accesses and sent to the Crooked Lake Area Association. In addition, notice of said restrictions shall be posted at Andover City Hall, the City of Andover website, the Coon Rapids City Hall, and the City of Coon Rapids web site.

(3) The slow no-wake speed shall be in effect twenty-four (24) hours a day for the entire duration the high water provision is in effect.

(4) When high water levels have subsided and have remained below an elevation of 861.6' sea level for three (3) consecutive days, said restriction shall be promptly removed.

10-604 Information, Notices and Markings. The Cities of Andover and Coon Rapids shall be responsible for informing the public and posting notifications at the Crooked Lake Boat Landing and all other public access points as necessary to give reasonable notice to the speed restrictions established.

10-605 Exemptions Form Provisions.

(1) Authorized resource management, emergency and enforcement personnel, when acting in the performance of their duties, shall be exempt from the provisions of this chapter.

(2) Temporary exemptions from this chapter may be granted to local, state or federal law enforcement agencies.

10-606 Enforcement. Primary responsibility for enforcement of this chapter shall rest with the Anoka County Sheriff's Office. This, however, shall not preclude enforcement by other licensed peace officers.

10-607 Violation a Petty Misdemeanor. Any person violating any provision of this chapter shall be guilty of a petty misdemeanor as defined by state law and subject to the penalties therefore.

Introduced this 19th day of January, 2016.

Adopted this _____ day of _____, 2016.

ATTEST:

Jerry Koch, Mayor

Joan Lenzmeier , City Clerk



City Council Regular

5.

Meeting Date: 02/02/2016

Subject: Consider Adoption of Ordinance 2157 Regarding Brew Pubs, Breweries, Taprooms, Distilleries and Cocktail Rooms

From: Scott Harlicker, Planner

INTRODUCTION

The City Council is being asked to approve Ordinance 2157 establishing regulations where brewpubs, breweries, taproom, distilleries and cocktail rooms can locate and establishing definitions of common terms.

DISCUSSION

Background

Recently a microbrewery expressed an interest in opening up a brewery and taproom in the City. At this time, that type of facility is not specifically allowed in any zoning district. Currently, any size brewery would be allowed in the Industrial district as "light industry" and a microbrewery would be allowed in the PORT district as "limited production and processing." A brew pub would be allowed in the PORT district under the classification of "restaurant" and "limited production and processing."

In 2011, the State Legislature passed what is know as the "Surly Bill" which allows breweries to sell pints of beer at the brewery in areas known as taprooms. Prior to the law, brew pubs were already permitted to sell beer for consumption on site because brew pubs serve food and operate similar to restaurants.

Staff also looked at a related use, microdistilleries. A distillery and microdistillery would be treated the same breweries and microbreweries for zoning purposes. Staff is proposing to include them in the ordinance amendment.

The purpose of the proposed text amendment is to identify where the brew pubs, breweries, distilleries, taprooms and cocktail rooms should be allowed and to establish definitions of the common terms.

Proposed Definitions

Brewery is a person who manufactures more than 15,000 barrels of malt liquor, as defined in State Statute section 340A.101, subdivision 16, for sale in a calendar year.

This language was taken from State Statute section 340A.

Brewery, Micro is a facility with a capacity to manufacture less than 15,000 barrels of alcoholic and nonalcoholic malt liquor a year. This definition does not include a brewpub.

This definition is commonly use by other cities and is used by the American Brewers Association.

Brew pub is a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted in State Statute section 340A.24, subdivision 2.

This definition is taken from State Statute section 340A.101.

Taproom is an area on the premises of or adjacent to the brewery location owned by the brewer that allows the on-sale of malt liquor produced by the brewer for consumption. Such use shall be accessory to the primary use of a brewery or micro brewery.

This language was taken from State Statute section 340A.26.

Distillery is a person who manufactures more than 40,000 proof gallons of distilled spirits, as defined in State Statute section 340A.101, subdivision 9, for sale in a calendar year

This language was taken from State Statute section 340A

Microdistillery means a distillery operated within the state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year.

This definition was taken from State Statute section 340A.101.

Cocktail Room is an area on the premises of or adjacent to the distillery location owned by the distiller that allows the on-sale of distilled liquor produced by the distiller for consumption. Such use shall be accessory to the primary use of a distillery or microdistillery.

This language was taken from State Statute section 340A.22.

Proposed Permitted and Conditional Use:

In determining what zoning districts were best suited for the proposed uses, staff looked at where restaurants were allowed. For zoning purposes restaurants, brewpubs, taprooms and cocktail rooms have similar operations and land use impacts. It is important to incorporate a retail component in the commercial districts; therefore, a tap room or cocktail room room are a required component of a micro brewery or microdistillery.

Proposed Use Table (P = Permitted, NP = Not Permitted, CUP = Conditional Use Permit)

	Regional Shopping	General Commercial	Community Commercial	Neighborhood Commercial	PORT	Industrial
Brew pub	P	P	P	CUP	P	NP
Microbrewery with Taproom	P	P	P	NP	P	P
Microdistillery with cocktail room	P	P	P	NP	P	P
Brewery	NP	NP	NP	NP	NP	P
Distillery	NP	NP	NP	NP	NP	P

Parking:

Parking for brewpubs would be calculated using the same ratio as restaurants which is 1 space per 2 seats plus 1 space for every 40 square feet of banquet or meeting area. Parking for taprooms would be calculated using the same ratio as bars/taverns which is 1 space for every 100 square feet of floor area.

The brewery component would be calculated using the light industry standard of 1 space per 1,000 square feet.

Outdoor Storage:

Outdoor storage of equipment, production waste, product or ingredients is not allowed in the commercial or PORT districts. Outdoor storage in general is prohibited in those districts. Outdoor storage is allowed as an accessory use in the industrial district provided it meets certain locational and screening requirements.

Liquor Licensing:

A separate liquor license from the City would be required for the above uses. A State license would be required prior to the issuance of a City license. The City Clerk and City Attorney are currently drafting recommendations to amend Title 5 of the City Code to provide for the new types of licenses. It is anticipated that the proposed ordinance will be introduced in February.

Planning Commission Meeting

At the Planning Commission meeting held on December 17, 2015 no one spoke at the public hearing. The Commission suggested that the ordinance include a definition for Brewer and use consistent terms in the other definitions. They made the following changes to the definitions proposed by staff:

(deletions are strike through and additions are underlined)

Brewer - is a person or business who manufactures malt liquor for sale.

Brew Pub - Brew pub is a facility for a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted in State Statute section 340A.24, subdivision 2.

Brewery - Brewery is a ~~person~~ facility for a brewer who manufactures more than 15,000 barrels of malt liquor, as defined in State Statute section 340A.101, subdivision 16, for sale in a calendar year.

Brewery, Micro is a ~~facility~~ brewery with a capacity to manufacture less than 15,000 barrels of alcoholic and nonalcoholic malt liquor a year. This definition does not include a brewpub.

Distillery - Distillery is a ~~person who~~ facility that manufactures more than 40,000 proof gallons of distilled spirits, as defined in State Statute section 340A.101, subdivision 9, for sale in a calendar year

City Council Meeting

At the January 19th City Council meeting, Council introduced the proposed ordinance.

RECOMMENDATION

In Planning Case 15-36, the City Council approve the attached Ordinance 2157 establishing regulations where brewpubs, breweries, taproom, distilleries and cocktail rooms can locate and establishing definitions of common terms.

Attachments

Ordinance 2157

ORDINANCE NO. 2157

AN ORDINANCE ADDING DEFINITIONS OF COMMON TERMS AND AMENDING ZONING TEXT ESTABLISHING REGULATIONS WHERE BREW PUBS, BREWERIES, TAPROOMS, DISTILLERIES AND COCKTAIL ROOMS CAN LOCATE WITHIN THE CITY AND THEREBY AMENDING REVISED CITY CODE – 1982 SECTIONS 11-201, 11-701.1, 11-801.1 AND 11-903.1(1)

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 Section 11-201 is hereby amended as follows by the addition of the following new definitions, which is to be inserted alphabetically and the numbering changed accordingly: (Additions double underlined)

11-201 Definitions. For the purposes of this Title the following definitions apply:

Abutting – Contiguous to, having a common border with.

Adult Oriented Business – “Adult oriented business” includes, but is not limited to,

(a) Adult body painting studios, adult bookstores, adult cabarets, adult conversation or rap parlors, adult entertainment centers, adult health or sports clubs, adult hotels or motels, adult massage parlors, adult modeling studios, adult motion picture theaters, adult novelty businesses, adult saunas, or steam rooms;

(b) any business that is conducted exclusively for the patronage of adults and that excludes minors from the premises, either by operation of law or by the owners of the business;

(c) any business that (i) derives 25 percent or more of its gross receipts during any calendar month from, or (ii) devotes 25 percent or more of its floor area (not including storerooms, stock areas, bathrooms, basements or any portion of the business not open to customers) to items, merchandise, devices, or other materials distinguished or characterized by an emphasis or material depicting, exposing, describing, discussing, or relating to specified sexual activities or specified anatomical areas;

(d) any premises to which public patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separated from the common areas of the premises for the purposes of viewing adult oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, whether or not such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. *From Sect 5-2202(1)*

Agricultural Use- The employment of land by raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, fur-bearing animals or honeybees, or by dairying and the sale of dairy products, by any other horticultural,

floricultural or viticultural use, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of stabling or training equines including, but not limited to, providing riding lessons, training clinics and schooling shows.

Alley - A public or private right-of-way of at least 18 feet in width which is primarily designed to provide a secondary access to abutting property.

Animal Agricultural - Animals such as cows, sheep, pigs, potbellied pigs, bees, goats, swine, llamas, mules, horses or other hoofed animal, chickens, ducks, or other agricultural animals or domestic fowl.

Animal Domestic - Non-poisonous snakes or snakes not prohibited by this Chapter, birds kept indoors, non-poisonous spiders, turtles, lizards, hamsters, chinchillas, mice, rabbits, gerbils, white rats, guinea pigs, or similar small animals capable of being maintained continuously in cages and indoors.

Architecturally Decorated - An element, design, or motif, installed, attached, painted, or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression.

Automobile Rental Facility - A business whose primary purpose is the rental of automobiles, trucks of one ton or less, or passenger vans, to include associated office activities, parking and storage of rental vehicles, and minor service of those vehicles. "Minor service" for this purpose is limited to activities such as fluid top-off, tire inflation, cleaning, and bulb and fuse replacement, but does not include oil changes, mechanical work, or body work.

Automobile Repair, Major - General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding, and major painting service.

Automobile Repair, Minor - The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. Above stated is applied to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.

Basement – That portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Block - A tract of land bounded by streets, public parks, cemeteries, railroad right-of-ways, shorelines, or boundary lines of the City.

Boarding House/Rooming House - A single-family dwelling where more than two, but fewer than six rooms are provided for lodging for definite periods of times. Meals may or may not be provided, but there is one common kitchen facility. No meals are provided to outside guests.

Brew pub - A facility for a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted in Minn. Stat. §340A.24, subd. 2.

Brewer – is a person or business who manufactures malt liquor for sale.

Brewery – A facility for a brewer who manufactures more than 15,000 barrels of malt liquor, as defined in Minn. Stat. §340A.101, subd. 16, for sale in a calendar year.

Building - Any structure having a roof built for the shelter or enclosure of persons, animals, or chattels.

Building Height - The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof.

Business - Any establishment, occupation, employment, or enterprise wherein merchandise is manufactured, exhibited, stored, sold, or where services are offered for compensation.

Channel - That portion of the watercourse normally occupied by a stream under average annual flow conditions, having a natural depression of perceptible extent, with definite bed and banks to confine and conduct flowing water.

City Plans - All plans approved by the City Council.

Clinic, Medical and Dental - Those activities that are of, or connected with, the art of diagnosing, treating, curing, and preventing of disease, relieving pain, and improving or preserving the health of human beings.

Cocktail Room - An area on the premises of or adjacent to the distillery location owned by the distiller that allows the on-sale of distilled liquor produced by the distiller for consumption. Such use shall be accessory to the primary use of a distillery or microdistillery.

Commercial Speech - Speech advertising a business, profession, commodity, service or entertainment.

Commercial Use Antenna - A device used to transmit and/or receive radio or electromagnetic waves directly or indirectly related to commercial wireless telecommunication services and cellular services.

Commercial Use Antenna Tower - Any pole, spire, lattice, or similar structure or combination thereof, greater than 20 feet in height, whether free standing or mounted on a roof or other structure, to which a commercial use antenna is attached or which is designed for an antenna to be attached, and all supporting materials.

Commercial Wireless Telecommunications Service - Licensed wireless telecommunication services including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

Common Open Space - Land, water, or a combination of land and water within a planned residential development which is designed and intended for the use and enjoyment of residents of the development. Common open space includes all land within a development, except for individual building lots and land accepted for public dedication

Community Correctional Facility – A facility where one or more persons reside on a 24 hours basis under the care and supervision of a program licensed by the Minnesota Department of Corrections, excluding prisons and jails.

Community Residential Facility –Any facility, public or private, which for gain or otherwise, regularly provides one or more persons with a 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the persons own home. Residential facilities include, but are not limited to: State institutions under the control of the Commissioner of Human Services, foster homes, residential treatment centers, maternity shelters, group homes, residential programs, supportive living residences for functionally impaired adults, or schools for handicapped children.

Compatible - Any uses that do not cause a:

- (a) Likeness to a degree to cause monotony.
- (b) Difference to a degree to cause incongruity.
- (c) Lower value so as to cause depreciation of neighborhood values.

(d) Nuisance; compared to existing or other proposed structures or uses. Types of nuisance characteristics include: noise, dust, odors, glare, unsightly building exterior, unsightly exterior storage, traffic generation signs, refuse, or lack of landscaping.

Convenience Store - A retail store having a maximum floor area of 5,500 square feet that offers for sale household and convenience items, food or other miscellaneous retail goods and gasoline.

Crawl Space - The portion of a building between the underside of the lowest finished floor and the ground under the building. This area may or may not be enclosed.

Curtain Wall - An exterior non-load bearing wall made up of panels of stone, glass, concrete, or masonry.

Day Care Facility - Any facility, public or private, which for gain or otherwise, regularly provides one or more persons with care, training, supervision, habilitation, rehabilitation, or developmental guidance on a regular basis, for periods of less than 24 hours per day, in a place other than the persons own home. Day care facilities include, but are not limited to: family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, developmental achievement centers, day treatment programs, adult day care centers and day services.

Developer - Any person who owns or controls land which is to be developed.

Director - The Community Development Director for the City of Coon Rapids or designee.

Distillery - A facility that manufactures more than 40,000 proof gallons of distilled spirits, as defined in State Statute section 340A.101, subdivision 9, for sale in a calendar year

Dwelling - A building or part of a building, containing living, sleeping, cooking, housekeeping accommodations, and sanitary facilities for occupancy by one or more persons.

Dwelling, Duplex - A building designed as a single structure, containing two separate living units, each of which is designed to be occupied as a separate, independent permanent residence.

Dwelling, Multi-Family- A building or portion thereof containing three or more dwelling units.

Dwelling, Single Family Attached - A building designed for or used exclusively for residential purposes by one or more persons located on individual lots but joined along one or more lot lines.

Dwelling, Single Family Detached - A detached building designed for or used exclusively for residential purposes by one family located on an individual lot which is not attached to any other dwelling unit by any means.

Dwelling, Two Family – See Dwelling, Duplex

Easement - A grant by a property owner of the use of land for a specific purpose.

Expansion - (a) The enlargement or extension of a use or structure so that it occupies a greater area of land, building space, or floor area.

(b) A change that increases the intensity of a use, the useable floor area, or the height or volume of a structure.

(c) The movement of a use to another area within a lot or to another structure, or within another portion of a structure.

(d) The replacement of non-dynamic with dynamic signage, or the increase in frequency or visual intensity of dynamic signage.

(e) The replacement of more than 25percent of the structural components, including, but not limited to, beams, studs, joists, or rafters, or more than 25percent of a foundation of a structure.

Equal Degree of Encroachment - A method of determining the location of floodway boundaries so that floodplain lands of both sides of a stream are capable of conveying a proportionate share of flood flows. This is determined by considering the effect of encroachment on the hydraulic efficiency of the floodplain along both sides of a stream for a significant distance.

Educational Facility, College - An institution for post-secondary education, public or private, offering courses in general, technical, or religious education and not operated for profit. It operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities, but not including colleges or trade schools operated for profit.

Educational Facility, Elementary - A public, private, or parochial school offering instruction for grades K-6.

Educational Facility, High School – A public, private, or parochial school offering instruction for grades 9-12.

Educational Facility, Middle School - A public, private, or parochial school offering instruction for grades 6-9

Family - A family is:

(a) An individual, or a group of persons related by blood, marriage, or adoption, including foster children, living together as a single housekeeping unit.

(b) A group of not more than six persons who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit.

Feedlot - The breeding or confining of animals, except domestic household pets.

Financial Institution - An institution established for the receiving, keeping, lending, or sometimes issuing of money and making easier the exchange of funds by checks, notes, etc. These include, but are not limited to, banks, mortgage bankers, savings and loan associations, and similar lending or banking institutions.

Finished Floor Area - The floor area of a dwelling or dwelling unit whose ceiling height is not less than seven feet. To qualify for finished floor area, the room's walls and ceiling must be covered with plaster, paneling, dry-wall, tile, or similar materials, and its floor must be covered with hardwood, carpeting, tiles, or some similar material in a completed and finished manner. Finished floor area includes, for rooms with sloped ceilings, the floor area beneath a ceiling height of at least five feet, provided at least 50 percent of the floor area of the room has a ceiling height of at least seven feet. No portion of finished floor area will consist of exposed concrete, concrete blocks, studs, or joists, whether painted or not. Finished floor area may include bedrooms, family rooms, dens, and similar areas, but will not include basements and areas devoted to uses accessory to the operation of the dwelling including, but not limited to, furnace rooms, laundry rooms, storage rooms, and workshops.

Flood, Regional - A flood which can be expected to occur on an average of once every 100 years.

Flood Fringe - That portion of the floodplain outside the floodway.

Flood Protection Elevation - A point 24 inches above the limit of the regional flood.

Floodplain - The beds proper and the areas adjoining a wetland, lake or a watercourse which have been or hereafter may be covered by the regional flood.

Floodway - The channel of the watercourse and those portions of the adjoining floodplain which are reasonably required to carry and discharge the regional flood.

Floor Area - The gross horizontal area of the main floor of a structure plus the horizontal area of any other floor level having a minimum vertical clearance or ceiling height of five feet.

Floor Area Ratio - The total square footage of the structure divided by the total square footage of the lot.

Foster Child - A child placed in a private home for care and maintenance by a parent, guardian or a duly accredited and established public or private welfare agency. A child shall mean anyone 17 years of age or under or a person 18 years of age or older if for reasons of mental or physical disability they still require the care and protection needed by person 17 years of age or under.

Frontage, Business - An exterior building wall that faces a public street or contains a public entrance.

Frontage, Street - The linear length in feet of the property line adjacent to public street(s). An interior lot has one street frontage and a corner lot has two or more street frontages.

Functionally Impaired - For the purposes of residential facilities and day care facilities, means having a condition that includes having substantial difficulty in carrying out one or more of the

essential major activities of daily living, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, or having a disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life and requiring support to maintain independence in the community.

Garage/Storage Structure, Private - An accessory structure or accessory portion of the principal structure which is used by a resident of the property to store motor vehicles, major recreational equipment, or other personal property.

Garden Center/Nursery, Retail - The retail sales of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products in small quantities to the consumer.

Governmental Buildings and Facilities - Any building, structure, serving certain governmental functions. These uses are intended to include uses that are supportive of governmental functions such as public works facilities, fire stations, police stations and holding facilities, correctional facilities, jails, wells, water towers and water treatment facilities and waste handling or processing facilities. These uses are intended to be distinguished from governmental offices and essential services.

Governmental Offices - Any facility, building, and structure for the purpose of providing governmental services to the general public. Uses are generally compatible with office and residential uses and include city offices, county offices, courthouses, jail cells operated exclusively in conjunction with and incidental to Anoka County or City courtroom functions, libraries, and post offices. These uses are intended for the direct provision of governmental services to the public as distinguished from governmental buildings and facilities.

Grade - The slope specified in percent of the feet of vertical change in elevation for each 100 feet horizontally.

Grade Landing - The grade required on all streets intersecting with collector or arterial streets.

Ground Level Storage Container - Any container similar in design to a semitrailer, but not equipped with wheels for travel on a public roadway and which is delivered to the site preassembled, and with or without a ground-level entrance, excluding containers designed and used for the storage of garbage, trash, rubbish, recycling, and similar materials in conformance with the City Code.

Highway Corridor - That strip of land 175 feet in width as measured on a line perpendicular to the rights-of-way for U.S. Highway 10, Trunk Highway 610 and Trunk Highway 47. "Highway corridor" excludes the following areas:

- (a) any land within the Mississippi River Corridor as described in Section 11-1001;
- (b) Trunk Highway 610 between its Coon Rapids Boulevard interchange and its terminus in the City;

(c) U.S. Highway 10 between its University Avenue interchange and its Foley Boulevard interchange; and

(d) Trunk Highway 47 between its Coon Rapids Boulevard interchange and its Foley Boulevard interchange.

Home Based Retail Sale - The incidental selling at retail of new and used goods and products from a residential unit, a structure accessory to a residential unit, or outside on the same property as the residential unit including, but not limited to, a garage sale, yard sale, sample sale, estate sale, moving sale, craft sale, or boutique, as those terms are commonly understood. Home Based Retail Sale shall not include the incidental and occasional sale of an individual item from a residential unit unless the item is displayed for sale outside of a structure.

Home Occupation - A gainful occupation engaged in on residential property by a resident of that property. Home Based Retail Sales is not considered a home occupation. Neither are the activities of a foster parent, a live-in child care provider, a live-in domestic worker or attendant, or similar caregiver be considered a home occupation.

Hotel - An establishment containing rooming units providing temporary lodging accommodations to the general public, and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and which may provide additional services such as restaurants, meeting rooms, entertainment, and recreational facilities

Improvement - A repair that provides newer, longer-lasting, or more efficient materials.

Interchange - That area where a roadway or highway intersects with the highway corridor and includes any portion of an interchange located within the City of Coon Rapids. An “interchange” is measured from the beginning of the highway exit ramp to the end of the entrance ramp, or, in the event of designated exit and entrance lanes, from the point of divergency through convergence with the main lanes of travel.

Interim Use - A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

Impervious Surface - Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, patios and paved recreation areas.

Industry, Light - A use that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair, or packaging of finished products or parts, predominantly from previously manufactured, prepared or refined materials (or from raw materials that do not need refining), but excluding basic industrial processing. Warehousing, wholesaling, and distribution of the finished products produced at the site is allowed as part of this use.

Junk Vehicle - Includes any motor vehicle or trailer which is not in an operable condition; or which is partially dismantled; or which is used for the sale of parts; or as a source of repair and replacement parts for other vehicles; or which is kept for scrapping, dismantling, or salvage; or is

unlicensed or does not display current registration; or is parked off an improved surface in a front or side yard or any combination therein. The following vehicles are not considered junk vehicles:

- (a) An unlicensed vehicle for sale in an automobile sales lot.
- (b) A collector vehicle registered as a pioneer, classic, collector or street vehicle, as defined in M.S.A. 168.10, if actively being restored.
- (c) Vehicles owned by and being actively repaired by a resident of the premise, inside a building, garage or accessory structure.

Junkyard - An open area where waste and used materials are bought, sold, exchanged, stored, packed, disassembled, or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber, wires, and bottles. A junkyard includes an auto wrecking yard, but does not include uses that are entirely within enclosed buildings or City Council-approved recycling centers. [Revised 4/1/14, Ordinance 2120]

Kennel - A business where three or more dogs, cats, or any combination thereof, are kept, boarded, bred, or offered for sale. The term kennel does not include animal hospitals, veterinary clinics, or pet stores.

Licensed Engineer - An engineer licensed by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Interior Design.

Live/Work Unit - A live/work unit is a single family dwelling unit, part of which may be used as business.

Lodging Room - A room rented as sleeping and living quarters, but without cooking facilities. In a suite of rooms without cooking facilities, each room which provides sleeping accommodation shall be counted as one lodging room.

Lot - A parcel of land intended for transfer of ownership or for building development.

Lot, Corner - A lot within a plat which is bounded on two sides by intersecting streets.

Lot, Double Frontage or Through Lot - A lot which has a front line abutting on a street and a back or rear line abutting another. A corner lot shall not be considered as a double frontage lot.

Lot, Flag - A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes a narrow access strip connecting the main building site with the frontage street.

Lot Depth - The shortest distance between the front and rear lot lines, measured at the side yard setback line of the shortest side lot line.

Lot Grade - Lot grade for purposes of this Section means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and a line five feet from the sidewall of the building.

Lot Line - The lines bounding a lot.

Lot Line, Front - The boundary of a lot abutting a public street right-of-way. In the case of a corner lot, the front shall be the lot side having the shortest dimension on a public street. If the dimensions

of a corner lot are within 10 percent of being equal, the owner may select either street lot line as the front lot line.

Lot Line, Rear - Any boundary of a lot which is opposite the front lot line. If the rear lot line is less than 10 feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line 10 feet in length within the lot, connecting the side lot lines and parallel to the front lot line.

Lot Line, Side - Any boundary of a lot which is not a front lot line or a rear lot line.

Lot Split - A subdivision of a parcel of land into two lots along an existing public street not involving the opening, widening, or extension of any public street.

Lot Width - The shortest distance between the side lot lines, measured within the first 30 feet of lot depth, commencing at the front yard setback line.

Major Recreation Equipment – Major recreational equipment includes, but is not limited to: travel trailers, boats, converted busses, coaches, pickup campers, campers, motorized dwellings, race cars, and dune buggies. It does not include vehicles used predominantly for domestic or employment-related transportation.

Maintenance - A Repair that remedies only normal wear and tear, or cleans surfaces.

Manufacturing Uses - All manufacturing, compounding, processing, packaging, treatment, or assembly of products and materials.

Measured Distance - All measured distances shall be to the nearest integral foot. If a fraction is one-half foot or less, the integral foot next below shall be used. Measurements between or up to buildings shall be taken to the nearest point of the vertical building wall.

Metes and Bounds - A method of property description whereby properties are described by means of their direction and distance from an easily identifiable location.

Microbrewery - A brewery with a capacity to manufacture less than 15,000 barrels of alcoholic and nonalcoholic malt liquor in a calendar year. This definition does not include a brewpub.

Microdistillery - A distillery operated within the state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year.

Mobile Home - A factory-built structure equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be a relocatable structure used for any occupancy without a permanent foundation, but shall not include motor vehicles as defined in Minn. Stat. §169.011, subd. 42, or recreational camping vehicles as defined in Minn. Stat. §327.14, subd. 7. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

Mobile Home Lot - A parcel of land for the placement of a single mobile home and the exclusive use of its occupants.

Mobile Home Park - Any site or tract of land upon which two or more occupied mobile homes are set.

Multiple Pet Location - A place not constituting a kennel where three or more dogs, cats, or any combination thereof, over six months of age are kept.

Multiple Tenant Building - A building that has more than one tenant, and each tenant has a separate ground level exterior public entrance.

Noncommercial Speech - Dissemination of messages not classified as Commercial Speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

Nonconforming Use - The lawful use or occupation of land or of a structure existing at the time the City Code is adopted or amended so as to create a nonconformity under Minn. Stat. §462.357, subd.1e.

Nursing Home - A State-licensed facility used to provide care for aged or infirm persons who require nursing care and related services in accordance with these regulations. Examples of nursing care: bedside care, including administration of medications, irrigations, and catheterizations; applications of dressings or bandages; rehabilitative nursing techniques; and other treatments prescribed by a physician which require technical knowledge, skill, and judgment as possessed by a registered nurse.

Office Use - Those commercial activities that take place in office buildings, where goods are not produced, sold, or repaired. These include, but are not limited to: general offices; governmental offices; insurance offices; personal loan agencies; professional offices; real estate offices; travel agency or transportation ticket offices; or telephone exchange offices.

Off Drive Parking Area – An off street, improved surface area connected to a driveway intended for the parking of vehicles.

Off Street Loading Space - A space accessible from a street, alley, or driveway for use while loading or unloading merchandise or materials.

Outdoor Living Room - A structure, attached to an accessory structure or freestanding, containing a hard-surfaced floor on ground level covered by a roof and containing no more than 50 percent permanent, solid walls.

Outdoor Storage - The exterior stockpiling or safekeeping of materials, machinery, equipment, tools, products, vehicles, special mobile equipment, trailers, ground level storage containers, shopping carts and accessories thereto.

Outlot - A parcel of land on a plat which has not been designated as a buildable lot, due to insufficient size or frontage, peculiar site characteristics, topographical problems; or one which is not ready for development due to lack of public improvements.

Parking Space, Common - A townhouse or multiple dwelling parking space designed and located to be clearly available to all residents and guests alike.

Parking Space, Tandem - The single unstacked parking spaces immediately in front of an attached garage door.

Patio - A hard-surfaced area not covered nor designed or intended to be covered by a roof, excluding sidewalks, walkways around swimming pools, or driveways.

Persons - For the purposes of residential facilities and day care facilities, means an adult who is handicapped by reason of mental retardation, mental illness, chemical dependency, or physical handicap; a child, whether handicapped or not; and, for purposes of adult day care, adult foster care, and supportive living residences, an adult who is functionally impaired.

Phase - A specified portion of a planned unit development that may be developed as an independent entity as delineated in the preliminary development plan and specified within the phasing schedule.

Physical Fitness Center – A facility, other than those defined and regulated by Chapter 5-2200 (Adult Oriented Businesses), whose primary purpose is the on-site provision of physical fitness services or equipment, such as: physical fitness training; exercise, aerobics, and similar classes; weight lifting and similar apparatus; running tracks; treadmills and similar apparatus; courts or areas for sports or play; and swimming pools.

Personal Service Establishment - A place where, for a fee, personal care and appearance services are provided to individuals on the premises. Such uses traditionally include beauty parlors, barber shops, nail salons, day spas and tanning salons, tattoo and body piercing parlors and therapeutic massage establishments when operated by a certified, licensed (by the City) massage therapist.

Place of Assembly – A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a community center, theaters, and private clubs and lodges.

Place of Worship - A building or place, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.

Planned Unit Development - An area of land, controlled by a single entity, the plan for which does not correspond in lot size, bulk, or type of dwelling, density, lot coverage, or required open space to the regulations in any conventional zoning district.

Plat - A method of land subdivision.

Plat, Final - The map or plan of record of a subdivision, and any accompanying material required by the City Council.

Plat, Preliminary – The preliminary map or drawing indicating the proposed layout of the subdivision to be submitted to the city for consideration by the planning commission and city council.

Porch - A covered unheated area adjoining an entrance to a building and usually having a separate roof, not more than 60 percent enclosed by walls and attached to the main building for the purpose of sheltering from the rays of the sun and from rain and weather.

Port or Port District – A Preservation or Renovation Tract is a defined zoning district within the City, created with the intent of encouraging development or redevelopment according to a defined theme, within a defined framework of public and private improvements and amenities.

Port Elements Plan – A city-developed plan, adopted by resolution, to promote Port continuity and theme that may prescribe, in both graphic and verbal form, public and private improvements including, but not limited to, site architecture, landscape materials and treatments, lighting design, building treatments and colors, signage, fences, walls, railings, seating, litter receptacles, and other street furniture and structures.

Port Master Plan – A conceptual plan for an entire Port that includes, but is not limited to, proposed uses and use relationships, densities or Floor Area Ratios for each use classification, site circulation, pedestrian systems, parking plans, open space locations, and examples of proposed building types. A Port Master Plan may be developed by the City or by a private developer, landowner, or other applicant.

Pre-application - A preliminary consultation between a subdivider or developer and administrative officials of the City, in order to discuss the person's intent to subdivide or develop a piece of land. Pre-application is advised to give direction to developers.

Public Improvement - Any facility for which the City of Coon Rapids or other governmental agency may ultimately assume the responsibility for maintenance and operation.

Recreational Equipment - Equipment used as an accessory use by residents of the lot where located. Such equipment shall include swing sets, volleyball sets, tennis courts, horseshoes, and similar equipment.

Repair - A change to a property that restores by replacing a part or putting together what is broken or damaged.

Replacement - A Repair that exactly conforms to the original state or condition of the structure.

Research - Medical, chemical, electrical, metallurgical, or other scientific research.

Reserve Strip - A narrow strip of land between property and a public street right-of-way that acts as a buffer for the property.

Residential Area - An area of the City zoned for residential uses (LDR-1, LDR-2, MDR, HDR, MH) or guided for residential uses under the City's Comprehensive Development Plan, whether or not currently developed, or an area developed for residential uses under a Planned Unit Development, and areas of the City located within 500 feet of such residential uses as measured by a straight, perpendicular line.

Residential Floor Area – The gross horizontal area of the main floor of a structure plus the horizontal area of any other floor level having a minimum vertical clearance or ceiling height of five feet.

Residential Living Space – Includes, but is not limited to, all areas of a dwelling suitable and intended for living such as areas for sleeping, eating, or cooking as well as adjunct areas such as

bathrooms, closets, halls, storage and utility space, and attached garages, but shall exclude three season porches and similar, unheated appurtenant structures.

Residential Property – All properties zoned or primarily used for residential purposes.

Restaurant, Fast Food - An establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state for consumption either on the premises or off the premises as carry-out or delivered orders, but not including delicatessens within grocery stores or catering businesses.

Restoration - The process of the renewal and refurbishment to the original state or condition of the structure.

Right-of-Way - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for other conditional use.

Roadway - The portion of a right-of-way used for vehicular traffic.

Semitrailer – “Semitrailer” means a vehicle of the truck type so designed and used in conjunction with the truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and shall include a trailer drawn by a truck-tractor, semitrailer combination.

Service Business - An establishment providing non-personal care or appearance services to individuals on the premises. Such uses traditionally include dry-cleaning (direct customer service; plants servicing more than one retail outlet are not permitted), interior decorating/upholstery, locksmith, mailing and packaging services, repair and/or servicing of carry-in items, tailor shop, picture framing and self serve laundromat.

Setback - The minimum required distance between a sign, parking lot, or the vertical wall of a building and a lot line.

Shopping Center - An integrated grouping of commercial stores, under single ownership or control.

Sidewalk - A paved surface for pedestrian use. A walkway.

Sight Triangle –The minimum sight triangle shall be defined as a triangle located at the corner of intersecting streets. The adjacent sides shall be located along the curb line, or gutter line of streets without curb and gutter, of the intersecting streets and shall be 50 feet in length. The third side shall be a straight line joining the end points of the adjacent sides.

Sign - Any name, identification, description, display, illustration, structure, emblem, or device which is affixed to, painted, or represented upon a building, bench, or other outdoor structure, vehicle, or piece of land, or which is located indoors in such manner so as to attract notice from outside the building, and which directs or is intended to direct attention to an object, product, place, activity, person, organization, or business. The structure supporting or intended to support a sign shall be considered part of that sign.

Sign, Above Roof - A sign which is attached to a building and projects above the roof line.

Sign, Area Identification - A ground sign that identifies a commercial, residential, institutional or industrial complex, unified development or shopping center. An area identification sign shall include the name of the complex development or center and/or its major tenant(s). If the area identification signs do not include the name of the complex or center, they shall be identical in copy.

Sign, Directory - A ground sign which provides space for the names of all tenants of a building.

Sign, Dynamic Display - Any portion of a sign that contains alphanumeric characters, graphics or symbols defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination device within the display area, including computer programmable, microprocessor controlled electronic displays or any other method or technology that allows the sign face to present a series of images or display.

Sign, Ground - A free-standing sign, including whatever structure is needed to support such sign.

Sign, Ground – Monument - A ground sign that contains a solid or enclosed base and where the sign support brace(s) is/are not visible. The monument sign base must be constructed of materials similar in appearance to those of the principal structure and consist of brick, natural stone, stucco, textured cast stone, or integrally colored concrete masonry units. The structure surrounding the face of the sign from the base to the top of the sign must be solid, continuous, and consist of the base materials or complementary materials that match the appearance and color of the principal building.

Sign, Ground – Pylon - A ground sign supported by visible upright braces placed in the ground.

Sign, Marquee, Awning and Canopy - Any message or identification which is affixed to or part of a marquee, awning, or canopy.

Sign, Municipal Entry Monuments - Signs or monuments located at street or highway entry points to the City which indicate, exclusive of any commercial message, that one is entering the City.

Sign, Off Premise - A sign which directs attention to a business, profession, commodity, service or entertainment which is conducted, offered, sold or manufactured elsewhere than on the premises upon which the sign is placed. "Off-premises sign" does not include the following:

- (a) municipal entry monuments as described in Section 11-1203; and
- (b) area identification signs for unified developments as described in Section 11-1203.

Sign, On Premise - A sign which advertises the business, commodity, service, or entertainment offered upon the same premises as those upon which the sign is built.

Sign, Portable - A sign constructed to be movable from one location to another and not permanently attached to the ground or to any immobile structure. Such sign consists of a mobile structure such as a semi-trailer, carriage, van, sled, or other device whose primary function during a specific time is to serve as a sign.

Sign, Readerboard - A permanent sign which is ancillary to and a part of the same sign structure as an on-premises ground sign, the message of which consists solely of manually changeable words, numbers or symbols. Such a sign is typically used to advertise events or sales rather than the business itself.

Sign, Real Estate - A sign advertising the sale, rental, or development of the premises upon which it stands, or directing attention to the opening or location of a new residential development.

Sign, Temporary - Any sign, banner, pennant, poster, or advertising display which is intended to be displayed for a limited period of time, and is not permanently affixed to the ground or a structure. Signs other than temporary signs will be considered permanent signs.

Sign, Wall - A sign affixed to a part of the exterior wall of a building and flush against it.

Sign Area - The area calculated from a figure formed by a line connecting the extreme points of the first and last letter or emblem of each line or the outline differentiating the sign from its background, whichever is larger. However, the area between a readerboard and the permanent message portion of an on-premises ground sign will not be calculated as part of the total sign area provided that the bottom of the readerboard is not more than 10 feet above the unaltered grade immediately below the sign. For a sign with two faces, only the area of one side will be used in computing the sign area.

Special Assistance Shelter - A facility providing temporary housing to indigent, needy, homeless, or transient persons; may also provide ancillary services such as counseling, vocational training, etc.

Special Mobile Equipment - Every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to: ditch digging apparatus, moving dollies, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors, other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, power shovels, draglines, self-propelled cranes, and earth-moving equipment.

Street - A public or private right-of-way which permits access by vehicles to abutting properties.

Street, Arterial - A street designed primarily for intercommunication between large land use units.

Street, Collector - A street designed to carry traffic from local streets to the system of major streets, arterials, and highways.

Street, Cul-de-sac - A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Street, Local - A street of limited continuity used primarily for access to the abutting properties and higher order streets.

Street, Marginal Access - A service drive or local street that is parallel and adjacent to a thoroughfare and which provides access to abutting properties and protection from through traffic.

Street Width - The shortest distance from back-of-curb to back-of-curb.

Structure - Anything constructed or erected that requires location on the ground or attached to something having location on the ground.

Structure, Accessory - A subordinate structure which is clearly and customarily incidental to the principal structure and which is located on the same lot as the principal structure.

Structure, Principal - A structure in which is conducted the principal use of the lot on which it is located.

Subdivision - The separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or other use or any combination thereof, except those separations:

- (a) where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses;
- (b) creating cemetery lots;
- (c) resulting from court orders, or the adjustment of a lot line by the relocation of a common boundary.

Taproom - An area on the premises of or adjacent to the brewery location owned by the brewer that allows the on-sale of malt liquor produced by the brewer for consumption. Such use shall be accessory to the primary use of a brewery or microbrewery.

Three Season Porch - An enclosed attached entrance to the primary structure or an enclosed attached room on the outside of the structure which entrance or room is so constructed as not to be intended for habitation during the winter months.

Townhouse Group - A structure containing two or more contiguous Townhouse Units.

Townhouse Unit - One of a group of two or more single-family attached dwellings, in an association established by covenant to regulate common areas, having a wall or walls in common with other dwellings, but separate from any other structure except accessory buildings.

Townhouse Unit Lot - The lot upon which there is built or is proposed to be built one (1) townhouse unit.

Trade or Convention Center - A structure capable of accommodating in excess of 750 persons for purposes such as, but not limited to, concerts, short-term retail or wholesale activities, the large scale marketing, buying, or selling of goods or services, or sporting events.

Truck - Any motor vehicle designed, used, or maintained primarily for the transportation of property and not for the carrying of passengers.

Truck-tractor - Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Unified Development - A development of three or more principal buildings with common characteristics as determined by the Planning Commission. Common characteristics may include shared access, similar architecture, single ownership or history of site plan review approval.

Urgent Care Center - A medical facility, other than an emergency room, that provides only for the delivery of non-routine and non-scheduled medical care and triage of emergent illnesses and injuries.

Usable Open Space - Land which is not occupied by buildings, streets, or parking, or which is not part of the land required for building setbacks. Usable open space shall be suitable for recreational or scenic use and enjoyment by all the residents in the development.

Use, Accessory - A subordinate use which is clearly and customarily incidental to the principal use of a building or premises and which is located on the same lot as the principal building or use.

Use, Principal - The primary or predominant use of any lot, building, or structure.

Utilities, major – Electric power substations, high voltage transmission lines, railroads and gas pipelines,

Utility Uses - Transmission facilities and structures for electric power, oil, liquid and non-liquid fuel, gas, water, sewer, telephone, railroads, radio, or television.

Vehicle –A device used to transport passengers, goods or equipment that is subject to state registration.

Walkway - A paved surface for pedestrian use. A sidewalk.

Wall Graphics - A graphic design or decorative mural not intended for advertising purposes, which is painted directly on an exterior wall surface.

Warehousing - The storage of materials or equipment within an enclosed building.

Waterway - Any natural passageway in the surface of the earth through which, because of location and topography, surface water flows from other areas before reaching a final ponding area. The term “water way” includes all drainage structures that are constructed to conduct water from one place to another.

Wholesale Business - The selling of goods, equipment, and materials in bulk to another business which sells them to the final customer.

Yard – Open space between buildings and adjoining lot lines.

Yard, Front - A yard extending between the side lot lines across the front of a lot from the principal structure to the street right-of-way.

Yard, Rear - A yard extending between the side yard lines across the rear of the lot from the principal structure to the rear lot line.

Yard, Side - A yard extending between the principal structure and the side lot lines and the front and rear yards.

Yard, Street Side Yard – A yard extending between principal structure and the side street right-of-way and the front and rear yards.

Zoning - A plan implementation tool designed to reserve specified areas within the City for specific types of land uses. Limitations may be placed on the land, structures, or use, as specified in this Title.

Section 2. Revised City Code - 1982 Section 11-701.1 is hereby amended as follows:

(deletions in brackets, additions double underlined)

11-701.1 Uses

COMMERCIAL USES					
Retail Sales and Service	O	NC	CC	GC	RS
General retail sales	NP	NP	P	P	P
General retail sales less than 15,000 square feet total building size	P	P	P	P	P
Art gallery or studio	NP	P	P	P	P
Bank or financial institution	P	NP	P	P	P
Building material sales or lumber yard	NP	NP	P	P	NP
Child care center, state licensed	P	P	P	P	P
Commercial self storage with no outdoor storage	NP	NP	NP	C	NP
Contractors office	NP	NP	NP	P	NP
Dry cleaning establishment	NP	NP	NP	C	NP
Farmers market	NP	P	P	P	NP
Firearms dealer	NP	NP	P	P	P
Funeral home	C	NP	P	P	NP
Greenhouse, lawn and garden supply store	NP	NP	P	P	NP
Laundry, self service	NP	P	P	P	NP
No adult oriented business, as defined by Section 5-2202, is permitted, except adult book stores, adult cabarets, adult conversation parlors, adult motion picture theaters, and adult novelty businesses, subject to regulation under Chapter 5-2200 and Section 11-1208, or state or federal law.	NP	NP	NP	P	NP
Non-on-premises	NP	NP	P	NP	NP

consumption adult bookstores and adult novelty stores, as defined by Revised City Code 1982 Section 5-2202, subject to regulation under Revised City Code 1982 Chapter 5-2200 and Section 11-1208					
Pawnbroker	NP	NP	P	P	NP
Performing, visual or martial arts school	NP	NP	P	P	NP
Personal service establishment	P	P	P	P	P
Pet grooming shops, provided no animal is kept overnight or outside and no noise is audible outside of the building or bay occupied by the grooming shop	NP	P	P	P	P
Pet store	NP	P	P	P	P
Photocopying, duplicating services	P	P	P	P	NP
Precious Metal Dealers defined and regulated by Title 5	NP	P	P	p	NP
Printing and publishing	NP	NP	C	C	NP
Rental business – no outdoor storage	NP	NP	P	P	NP
Rental business – with outdoor storage	NP	NP	NP	C	NP
Secondhand Dealers or Antique Dealers defined and regulated by Title 5	NP	P	P	P	P
Self storage facility with no outdoor storage	NP	NP	NP	C	NP
Service Business	P	P	P	P	NP
Transient Merchants, Solicitors, and Canvassers,	NP	P	P	P	NP

defined and regulated by Title 5					
Veterinary clinic, animal hospital, kennel – no outdoor runs	P	NP	p	P	NP
Video store	P	P	P	P	P
Automobile Services	O	NC	CC	GC	RS
Automobile rental facility	NP	NP	C	C	NP
Automobile repair, major	NP	NP	NP	C	NP
Automobile repair, minor	NP	NP	P	P	NP
Automobile sales provided that: a) Must have minimum of 40,000 square foot building; b) Indoor display area, and c) The building meets the development guidelines found in subsection 11-701.2.	NP	NP	C	P	NP
Car wash	NP	NP	P	P	NP
Convenience store	NP	NP	P	P	NP
Convenience store provided that: (a) The fuel sales are incidental to a retail store; (b) No separate building, structure, or store is used as part of the fuel sales; (c) No more than four dispensing hoses may be operable simultaneously per neighborhood shopping center, and (continued on next page) (d) The fuel sales shall be	NP	C	P	P	NP

accessible from off the parcel of property on which it is located by way of at least two in and out vehicular accesses.					
Major recreational equipment sales, service and rental	NP	NP	NP	C	NP
Food and Beverage	O	NC	CC	GC	RS
<u>Brew pub</u>	<u>NP</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>
Catering	NP	P	P	P	NP
Coffee shop	P	P	P	P	P
Liquor, off sale	NP	NP	P	P	P
<u>Microbrewery with taproom</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Microdistillery with cocktail</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>
Restaurant, delicatessen	P	P	P	P	P
Restaurant, fast food	NP	NP	P	P	P
Restaurant, sit down including the serving of alcohol beverages provided they occupy no more than 25 percent of a building and have no drive up facility	P	P	P	P	P
Restaurant, sit down including the serving of alcohol beverages	C	C	P	P	P
Tavern or bars	NP	NP	P	P	NP
Commercial Recreation, Entertainment and Lodging	O	NC	CC	GC	RS
Amusement centers	NP	NP	NP	P	NP
Hotel	NP	NP	P	P	P
Indoor recreation	NP	NP	P	P	NP
Outdoor recreation	NP	NP	C	C	NP
Physical fitness center	NP	NP	P	P	P
Physical fitness center 3,000	NP	P	P	P	P

square feet floor area or less					
Radio or television station	NP	NP	P	P	NP
Reception or meeting hall	NP	C	P	P	NP
Theater	NP	NP	P	P	NP
Office and Medical Facilities	O	NC	CC	GC	RS
Blood/ plasma collection facility	NP	NP	NP	P	NP
Clinic, medical or dental	P	NP	P	P	P
Clinic, medical or dental less than 15,000 square feet total building size	P	P	P	P	P
General Office	P	NP	P	P	P
General Office less than 15,000 square feet total building size	P	P	P	P	P
Hospital	NP	NP	C	C	NP
Laboratory, medical or dental	P	NP	P	P	NP
Transportation	O	NC	CC	GC	RS
Ambulance service	NP	NP	NP	C	NP
Limousine service	NP	NP	NP	C	NP
Package delivery service	NP	NP	NP	C	NP
Taxi cab service	NP	NP	NP	C	NP
INSTITUTIONAL AND PUBLIC USES					
Educational Facilities	O	NC	CC	GC	RS
Non-classroom, personalized instructional services for students in grades K-12. The total floor area of all such uses shall not exceed 4,000 square feet of the total gross lease area of the regional	NP	NP	P	P	P

shopping center where they are located					
Social, Cultural, Charitable and Recreation Facilities	O	NC	CC	GC	RS
Club, lodge or hall	C	C	C	P	NP
Community Center	NP	NP	C	C	NP
Community Garden	P	P	P	P	P
Library	P	P	P	P	NP
Museum	C	C	P	P	NP
Public parks and their incidental structures	P	P	P	P	NP
Place of Worship	C	C	C	P	NP
Public Services and Utilities	O	NC	CC	GC	RS
Electric or gas substation	C	C	C	C	C
Governmental buildings and facilities	C	C	C	C	C
Governmental offices	C	C	C	C	C
ACCESSORY USES	O	NC	CC	GC	RS
In building primarily used for office or medical purposes: (a) Restaurants provided they occupy no more than ten percent of the building (b) Retail sales of drugs and other medical supplies	P	P	P	P	P
Medical and dental laboratories in conjunction with medical and dental clinics	NP	P	NP	NP	NP
Outdoor sales area of materials available for active sales as shown on an approved site plan	NP	NP	P	P	NP

Section 3. Revised City Code - 1982 Section 11-701.1 is hereby amended as follows:

(deletions in brackets, additions double underlined)

PRINCIPLE USES	
INDUSTRIAL USES	
Manufacturing	I
<u>Brewery</u>	<u>P</u>
<u>Distillery</u>	<u>P</u>
<u>Microbrewery</u>	<u>P</u>
<u>Microdistillery</u>	<u>P</u>
Light Industry	P
Vehicle Service and Transportation	I
Vehicle repair major and minor, including the sales of parts in conjunction therewith, but not including a junk yard or salvage business.	C
Sales or rental of vehicles licensed for more than 9,000 pounds gross vehicle weight and special mobile equipment as defined in Section 9-121 of the Revised City Code-1982, except for recreational vehicles. Such use may include the sale of parts in conjunction therewith.	C
Truck rental.	C
Wholesale businesses, warehouses, or freight terminals except for storage of bulk petroleum, scrap or waste material as a primary use.	P
Catalog order facilities, provided there is no direct pickup of orders by customers.	P
Office and Research	I
Office uses	P
Research and development activities, experimental or testing laboratories.	P
Medical and dental clinics and laboratories.	P
Services	I
Service business	P
Animal hospitals, and kennels, duly licensed under Chapter 6-200,	P
Printing, blue-printing, duplicating, mailing and graphic arts.	P
Self service storage facility.	P
Outdoor storage accessory to self service storage.	C
Repair, servicing or parts sales businesses, except for	P

businesses related to vehicles.	
Physical fitness centers	P
Child care center, state licensed	P
Public Services and Utilities	I
Public parks and their incidental structures.	P
Governmental buildings and facilities	C
Governmental offices	C
Electric or gas substation	C
ACCESSORY USES	I
Any accessory use that is permitted in the (O) Office District.	P
Retail sales incidental to the manufacture, processing or wholesaling of products manufactured on, processed on, or wholesaled from the premises.	P
<u>Cocktail room accessory to a microdistillery or distillery</u>	<u>P</u>
<u>Taproom accessory to a microbrewery or brewery</u>	<u>P</u>

Section 4. Revised City Code - 1982 Section 11-903.3(1) is hereby amended as follows:

(deletions in brackets, additions double underlined)

11-903.3 Uses.

(1) Use Table. Permitted, conditional, and accessory uses are specified in the following table as “P,” “C,” and “A,” respectively. Uses not permitted in some Port Districts are specified as “NP” and uses not listed in the table are not permitted in any Port District. [Revised 8/20/13 Ordinance 2107]

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Residential Uses				
Dwellings				
Townhouse/single-family attached dwelling	P	P	NP	P
Multiple-family dwelling (more than four units)	P	P	P	P
Live-work unit	P	P	P	P

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Congregate Living				
Community residential facility serving up to 16 residents	P	P	NP	P
Community residential facility serving more than 16 residents	C	C	NP	C
Dormitories	NP	C	NP	C
Nursing homes, boarding care, assisted living	P	P	P	P
Institutional and Civic Uses				
Educational Facilities				
Group family day care, family day care, group day care	P	P	P	P
Public or private grades K-12 schools	C ¹	NP	NP	NP
College, university, seminary, etc.	C	C	C	C
Trade school, arts school, dance school, etc.	C	C	C	C
Social, Cultural, Religious and Recreational Facilities				
Public library	P	P	P	P
Community center, art center, museum	P	P	P	P
Public and private park, playground	P	P	P	P
Private nonprofit recreation center, pool	P	P	P	P
Place of worship and place of assembly	P	P	P	P
Public Service and Utilities				
Governmental buildings and structures without outdoor storage	C	C	C	C
Public utility buildings and structures without outdoor storage	C	C	C	C
Commercial and Office Uses				
Offices	P	P	P	P
Medical and dental clinics and offices	P	P	P	P
Bed and breakfast residence (up to six rooms)	C	C	NP	C
Parking – principal use	C	C	C	C

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Service businesses ²	P	P	P	P
Bank, financial institution	P	P	P	P
Food and related goods ³	P	P	P ⁷	P ⁷
General retail ⁴	P	P	P	P
Eating places ⁵	P	P	P	P
<u>Brew pub</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Microbrewery with taproom</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Microdistillery with cocktail room</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Day care center	P	P	P	P
Funeral home, mortuary	P	P	P	P
Laundromat (self-service)	P	P	P	P
Hospital	NP	NP	NP	P
Motel, hotel, inn	C	C	P	C
Photocopying	P	P	P	P
Veterinary clinic (no exterior animal runs)	P	P	NP	NP
Printing and publishing	C	C	C	C
Studios of artists or craftspeople	P	P	P	
Service businesses with showroom or workshop, including office - warehouses (contractor, painter, etc.)	C	C	C	C
Small appliance repair (excluding internal combustion engines)	P	P	NP	NP
Theaters, assembly halls	C	C	NP	NP
Health clubs and fitness centers	C	C	C	C
Indoor recreation (bowling, billiards, etc.)	C	C	NP	P
Commercial outdoor recreation (swim club, miniature golf, etc.)	C	C	NP	NP
Limited production and processing ⁶	C	C	C	
Vehicle Services				

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Convenience stores with accessory car washes and/or fuel sales, provided no more than eight dispensing hoses may be operable simultaneously	C	C	C	NP
Convenience stores with accessory car washes and/or fuel sales, provided no more than 16 dispensing hoses may be operable simultaneously	NP	NP	C	NP
Auto repair, detailing or servicing with or without fuel sales	C	C	NP	NP

¹ May not occupy more than five percent of the total development area in Port Riverwalk.

² Service businesses: Service businesses include provision of services to the general public that produce minimal off-site impacts. Service businesses include but are not limited to the following:

- barber and beauty shops
- dry-cleaning (direct customer service; plants servicing more than one retail outlet are not permitted)
- interior decorating/upholstery
- locksmith
- mailing and packaging services
- radio and television service and repair
- shoe repair
- tailor shop
- watch repair, other small goods repair
- picture framing

³ Food and related goods: These uses include the following uses, characterized by the sale of food and related goods to the public for consumption off the premises.

- grocery store, supermarket
- butcher shops
- bakeries
- candy
- greengrocer, other specialty food
- catering

⁴ General retail: General retail sales include the retail sale of products, sometimes with provision of related services, to the general public that produce minimal off-site impacts. General retail sales include but are not limited to the following:

- antiques and collectibles store
- art gallery
- bicycle sales and repair
- book store, music store
- clothing and accessories
- drugstore, pharmacy
- electronics sales and repair
- florists
- jewelry store
- hardware store
- liquor store
- news stands, magazine sales
- photographic equipment; film developing
- stationery store
- picture framing

⁵ Eating places:
restaurants with or without liquor sales,
delis, take-out establishments
cafés, coffee shops

⁶ Limited production and processing. These uses produce minimal off-site impacts due to their limited nature and scale, and are considered compatible with office, retail and service uses. Limited production and processing may include wholesale and off-premises sales. Limited production and processing includes:

- apparel and other finished products made from fabrics
- computers and accessories, including circuit boards and software
- electronic components and accessories
- film, video and audio production
- food and beverage products, except no live slaughter, grain milling, cereal, vegetable oil or vinegar processing
- precision medical and optical goods
- signs, including electric and neon signs
- watches and clocks
- wood crafting and carving
- wood furniture and upholstery

⁷ Can occupy no more than 20,000 square feet of a building.

Introduced this 19th day of January, 2016.

Adopted this ____ day of _____, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

6.

Meeting Date: 02/02/2016

Subject: Consider Adoption of Ordinance 2158, Amending Chapter 12-202 Rules Regarding Plumbing Code

From: Greg Brady, Chief Building Official

INTRODUCTION

The Minnesota State Plumbing Board has adopted a new edition of the Minnesota Plumbing Code which went into effect January 23rd, 2016. The City must revise Chapter 12, Section 12-202(21) in order to be current with the new law.

DISCUSSION

These new rules replace the old homegrown plumbing code, Chapter 4715 and replace it with Chapter 4714, a comprehensive plumbing code with Minnesota specific amendments. The 2012 Uniform Plumbing Code (UPC) is a national standard recognized and is used by many professionals across the nation. The UPC includes regulation of plumbing standards, materials and methods used in the construction industry. The newest version of the Minnesota Plumbing Code is a long awaited conversion away from state specific standards to nationally recognized standards. Minnesota Rules Chapter 4714 replaces Chapter 4715 and is titled The 2015 Minnesota State Plumbing Code, Chapter 4714.

RECOMMENDATION

Staff Recommends the City Council adopt the new rules governing the Minnesota Plumbing Code by revising Chapter 12, Section 12- 202(21) of the City Code.

Attachments

Revised Rules under City Code 12-202

ORDINANCE NO.

**AN ORDINANCE REVISING THE ADOPTION
OF THE MINNESOTA RULES REGARDING PLUMBING CODE AND THEREBY
AMENDING
REVISED CITY CODE – 1982 SECTION 12-202**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 12-202 is hereby amended as follows:

(deletions in brackets, additions double underlined)

12-202 Minnesota Rules Adopted.

Minnesota State Building Code adopted by reference in Section 12-201 above includes the following Chapters of Minnesota Rules:

- (1) 1300, Administration of the Minnesota State Building Code;
- (2) 1301, Building Official Certification;
- (3) 1302, State Building Code Construction Approvals;
- (4) 1303, Minnesota Provisions;
- (5) 1305, Adoption of the 2015 Minnesota Building Code [Revised 6/16/2015, Ordinance 2141];
- (6) 1306, Special Fire Protection Systems;
- (7) 1307, Elevators and Related Devices;
- (8) 1309, Adoption of the 2015 Minnesota Residential Code [Revised 6/16/2015, Ordinance 2141];
- (9) 1311, Adoption of the 2015 Guidelines for the Rehabilitation of Existing Buildings;
- (10) 1315, Adoption of the 2014 National Electrical Code;
- (11) 1322, Adoption of the Minnesota Residential Energy Code and 1323 Minnesota Commercial Energy Code [Revised 6/16/2015, Ordinance 2141];
- (12) 1325, Solar Energy Systems;
- (13) 1330, Fallout Shelters;
- (14) 1335 Floodproofing Regulations [Revised 6/16/15, Ordinance 2141];
- (15) 1341, Adoption of the 2015 Minnesota Accessibility Code;
- (16) 1346, Adoption of the Minnesota State Mechanical Code and Fuel Gas Code;
- (17) 1350, Manufactured Homes;
- (18) 1360, Prefabricated Structures;
- (19) 1361, Industrialized/Modular Buildings;
- (20) 1370, Storm Shelters (Manufactured Home Parks);
- (21) [~~4715~~] 4714, Minnesota Plumbing Code;

(22) 5230, Minnesota High Pressure Piping Systems. [Revised 4/6/99, Ordinance 1661] [Revised 12/2/03, Ordinance 1825] [Revised 12/04/07, Ordinance 1965] [Revised 6/16/15, Ordinance 2141]

Introduced this 19th day of January 2016.

Adopted this ____ day of _____ 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

7.

Meeting Date: 02/02/2016

Subject: PC 16-4: Consider Resolution 16-25 Approving Registered Land Survey, 12856 Crooked Lake Boulevard, Rachel Neiman

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting consideration of Resolution 16-25 approving a Registered Land Survey to subdivide two parcels totaling 97,102 square feet into two lots.

DISCUSSION

Background

At the November 19, 2015 meeting, the Planning Commission recommended approval of a proposed lot split for these two parcels, and at their December 1, 2015 meeting the City Council approved the lot split. The applicant found that since the land is Torrens, Anoka County required that they prepare a Registered Land Survey (RLS). They are back before the Council with the proposed Registered Land Survey

The proposed subdivision has not changed from what the Council reviewed back in December 2015. The format has just been changed from a lot split to an RLS.

Project Description

The applicant is proposing to subdivide a 97,102 square foot site into two lots. The property currently consists of two lots (Tract I and J, RLS 28), and there is an existing single family home with an attached garage on the property. The applicant is proposing to reconfigure the two lots.

The existing house will remain on Parcel A. Parcel A will have frontage on Crooked Lake and 129th Avenue. Parcel B is a corner lot with frontage on 129th Avenue and Crooked Lake Boulevard. Access to Parcel A will be via the existing driveway on 129th Avenue. Both of the proposed lots meet the dimensional requirements of the LDR2 zoning district. Parcel A is 41,809 square feet and Parcel B is 55,293 square feet. Parcel B is configured so that it could be subdivided into smaller lots in the future.

The Assistant City Engineer has reviewed the proposed RLS and did not have any comments.

Park Dedication

The original lots were part of RLS 28 approved in 1970. Park dedication for the lots were not paid at that time. Park dedication should be paid for the two lots at this time.

Planning Commission Meeting

A public hearing was held at the January 21, 2016 Planning Commission meeting and no one spoke at the hearing. The Commission voted unanimously to recommend approval of the RLS.

RECOMMENDATION

In Planning Case 16-4, the Planning Commission recommends approval of the attached Resolution 16-25 approving the RLS with the following conditions:

1. The appropriate drainage and utility easements be approved by the City Engineer and recorded at the County.
2. Park dedication in the amount of \$4,000 (\$2,000 per lot) be paid prior to releasing the lot split for recording.
3. Compliance with Title 11, Land Development Regulations.

Attachments

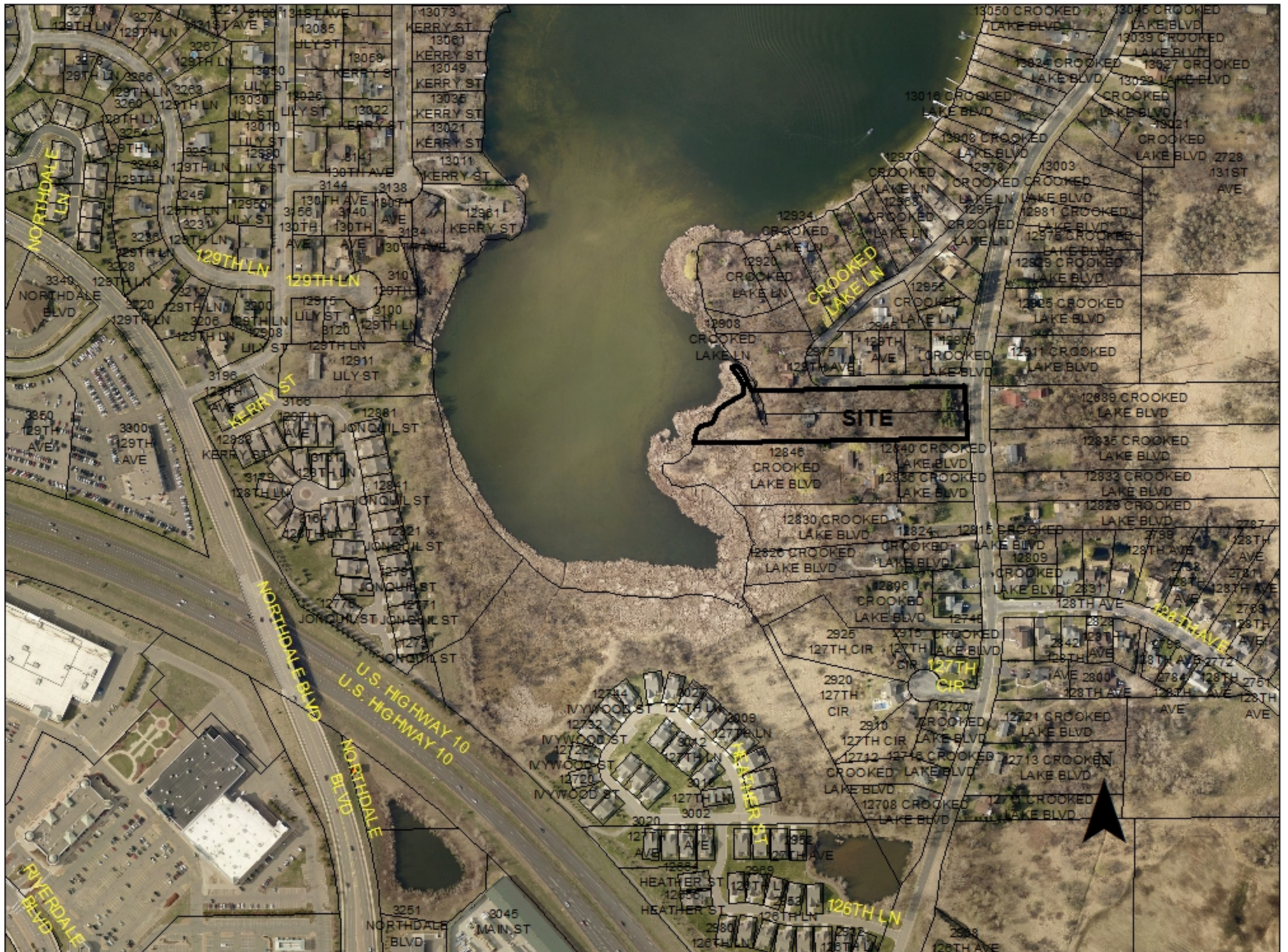
Location Map

Survey of Property

Registered Land Survey

Resolution 16-25

Location Map



MINOR SUBDIVISION

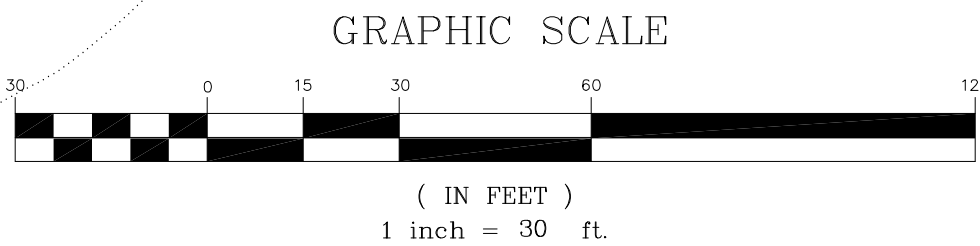
~for~ JOHN AND MARTHA BORDWELL
~of~ 12856 CROOKED LAKE BOULEVARD

BENCHMARK

MNDOT GSD. STATION # 72657
MNDOT NAME; BR 02559 SE
ELEVATION: 893.243 (NAVD 88)

PROPOSED INGRESS/EGRESS EASEMENT

A perpetual easement for private ingress and egress purposes over, under and across the north 10 feet of that part of Tract J, REGISTERED LAND SURVEY NO. 28, Anoka County, Minnesota, which lies westerly of the east 345 feet thereof.



NORTH

CROOKED LAKE
(PER AERIAL PHOTO)
OHWL = 862.1 (NGVD 29)
862.4± (NAVD 88)

PARCEL A

41,809 sq. ft.
above wetland

PARCEL B

55,293 sq. ft.

PROPOSED LEGAL DESCRIPTIONS:

PARCEL A
That part of Tract I, Registered Land Survey No. 28, Anoka County, Minnesota, which lies westerly of the east 345 feet thereof.

and

That part of Tract J, Registered Land Survey No. 28, Anoka County, Minnesota, which lies westerly of the east 345 feet thereof.

PARCEL B
The east 345 feet of Tract I, Registered Land Survey No. 28, Anoka County, Minnesota,

and

The east 345 feet of Tract J, Registered Land Survey No. 28, Anoka County, Minnesota.

VICINITY MAP

PART OF SEC. 4, TWP. 31, RING. 24



ANOKA COUNTY, MINNESOTA
(NO SCALE)

PROPOSED DRAINAGE AND UTILITY EASEMENTS:

PARCEL A
A perpetual easement for drainage and utility purposes over, under and across the south 10 feet and east 5 feet of that part of Tract I, Registered Land Survey No. 28, Anoka County, Minnesota, which lies westerly of the east 345 feet thereof.

and

A perpetual easement for drainage and utility purposes over, under and across the north 10 feet and the east 5 feet of that part of Tract J, Registered Land Survey No. 28, Anoka County, Minnesota, which lies westerly of the east 345 feet thereof.

PARCEL B
A perpetual easement for drainage and utility purposes over, under and across the south 10 feet and the west 5 feet of the east 345 feet of Tract I, Registered Land Survey No. 28, Anoka County, Minnesota,

and

A perpetual easement for drainage and utility purposes over, under and across the north 10 feet and the west 5 feet of the east 345 feet of Tract J, Registered Land Survey No. 28, Anoka County, Minnesota.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 10/1/15.
- Bearings shown are on Anoka County datum.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Wetlands were delineated by Jacobson Environmental.
- Contours are a compilation of field data and MnGEO lidar distribution.
- Parcel ID: 04-31-24-31-0014
04-31-24-31-0013

EXISTING ZONING

Low Density 2 (LDR2)

Setbacks

Front: 35 feet
Side: 10 feet (5 feet for attached garage)
Rear: 35 feet

LOT STANDARDS

Minimum lot area = 10,800 sq. ft.
12,150 sq. ft. (corner lot)
Minimum lot width = 80 feet
90 feet (corner lot)

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- ⊙ DENOTES JUDICIAL LANDMARK FOUND
- DENOTES CATCH BASIN
- ⊕ DENOTES STORM SEWER MANHOLE
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊕ DENOTES GATE VALVE
- ⊕ DENOTES HYDRANT
- ⊕ DENOTES GAS VALVE
- ⊕ DENOTES POWER POLE
- ⊕ DENOTES EXISTING SPOT ELEVATION
- ⊕ DENOTES TELEPHONE PEDESTAL
- ⊕ DENOTES CABLE PEDESTAL
- ⊕ DENOTES UTILITY BOX
- ⊕ DENOTES SOIL BORING. (BY OTHERS)
- ⊕ DENOTES WET LAND DELINEATED BY JACOBSON ENVIRONMENTAL
- ⊕ DENOTES FENCE
- ⊕ DENOTES EXISTING CONTOURS
- ⊕ DENOTES EXISTING SANITARY SEWER
- ⊕ DENOTES EXISTING STORM SEWER
- ⊕ DENOTES EXISTING WATER MAIN
- ⊕ DENOTES OVERHEAD WIRE
- ⊕ DENOTES CONCRETE SURFACE
- ⊕ DENOTES BITUMINOUS SURFACE
- ⊕ DENOTES GRAVEL SURFACE
- ⊕ DENOTES TREE LINE

LEGAL DESCRIPTION

Tracts I and J, REGISTERED LAND SURVEY NO. 28, Anoka County, Minnesota.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD

Date: 10/13/15 License No. 41578



E. G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

www.egrud.com

DRAWN BY: BPN	JOB NO: 15653PP	DATE: 10/13/15
CHECK BY: JER	SCANNED <input type="checkbox"/>	
1		
2		
3		
NO.	DATE	DESCRIPTION
		BY

15653PP

REGISTERED LAND SURVEY NO. _____

City of Coon Rapids
County of Anoka
Sec. 4, T31, R24

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- ⊙ DENOTES JUDICIAL LANDMARK FOUND
- ⬢ DENOTES ANOKA COUNTY CAST IRON MONUMENT

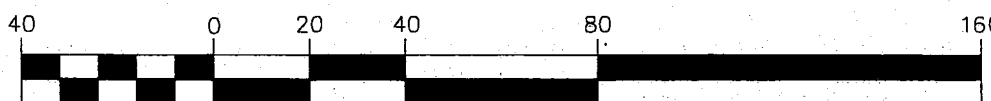
FOR THE PURPOSES OF THIS REGISTERED LAND SURVEY, THE NORTH LINE OF TRACT J, REGISTERED LAND SURVEY NO. 28, ANOKA COUNTY, MINNESOTA IS ASSUMED TO BEAR NORTH 89 DEGREES 32 MINUTES 37 SECONDS EAST

BENCHMARK

MNDOT GSID STATION # 72657
MNDOT NAME: BR 02559 SE
ELEVATION: 893.243 (NAVD 88)

NORTH

GRAPHIC SCALE



SCALE IN FEET
1 inch = 40 feet

CROOKED LAKE

OHWL = 862.1 (NGVD 29)
862.4± (NAVD 88)
WATER ELEVATION = 860.9 (NAVD 88, MEAS 10/1/15)

APPROXIMATE EDGE
OF WATER (PER
AERIAL PHOTO)

I, Jason E. Rud, hereby certify that, in accordance with the provisions of Minnesota Statutes, Section 508.47, I have surveyed the following described property situated in the County of Anoka, State of Minnesota:

Tracts I and J, REGISTERED LAND SURVEY NO. 28, files of Registrar of Titles, County of Anoka, State of Minnesota.

I hereby certify that this Registered Land Survey was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that this Registered Land Survey is a correct representation of said parcel of land. Dated this 14th day of DECEMBER, 20 15.

Jason E. Rud, Licensed Land Surveyor
Minnesota License No. 41578

CITY COUNCIL, CITY OF COON RAPIDS, MINNESOTA

We do hereby certify that on the ____ day of _____, 20____, the City Council of the City of Coon Rapids, Minnesota, has approved this Registered Land Survey.

_____, Mayor _____, Clerk

COON RAPIDS PLANNING COMMISSION

Be it known that at a meeting held on this ____ day of _____, 20____, the Planning Commission of the City of Coon Rapids, Minnesota, did hereby review and approve this plat of Registered Land Survey No. _____

Planning Commission, City of Coon Rapids, Minnesota

By _____, Chairperson

ANOKA COUNTY SURVEYOR

Pursuant to Minnesota Statutes, Section 389.09, Subd. 1, this Registered Land Survey has been reviewed and approved this ____ day of _____, 20____.

Larry D. Holm, Anoka County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 508.47, Subd. 4, taxes payable in the year 20 ____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____ day of _____, 20 ____.

Property Tax Administrator

By _____, Deputy

COUNTY RECORDER/REGISTRAR OF TITLES

COUNTY OF ANOKA, STATE OF MINNESOTA

I hereby certify that this REGISTERED LAND SURVEY NO. _____ was filed in the office of the County Recorder/Registrar of Titles for public record on this ____ day of _____, 20 ____ at ____ o'clock ____M. and was duly recorded in Book ____ Page ____ as Document Number _____.

County Recorder/Registrar of Titles

By _____, Deputy

Resolution 16-25

A Resolution of the City of Coon Rapids Granting Approval of a Registered Land Survey, Planning Case No. PC 16-4

WHEREAS, application has been made for approval of a registered land survey, pursuant to Section 11-1504.5 of the Coon Rapids Code of Ordinances, of the property legally described on attached Exhibit A and hereinafter referred to as “the Property”; and

WHEREAS, the Planning Commission on January 21, 2016 recommended approval of the registered land survey of the Property.

NOW, THEREFORE, BE IT RESOLVED

1. It is hereby determined by the City Council for the City of Coon Rapids as follows:
 - A. The proposed subdivision is consistent with the Title 11, Chapter 1500 of the City Code of Ordinances and conforms with all of its requirements.
 - B. The proposed subdivision is consistent with all applicable general and specialized city, county, and regional plans including, but not limited to, the City’s Comprehensive Plan.
 - C. The physical characteristics of the site, including, but not limited to, topography, soils, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, and drainage are suitable for the type and density of development and uses contemplated.
 - D. The proposed subdivision makes adequate provision for water supply, storm drainage, sewage transportation, parks and walkways, erosion control and all other services, facilities and improvements otherwise required herein.
 - E. The proposed subdivision will not cause substantial environmental damage.
 - F. The proposed subdivision will not have an undue or adverse impact on the reasonable development of neighboring land.
2. Registered land survey approval is hereby granted for the Property, subject to the conditions set forth in attached Exhibit B.
3. The officers of the City are hereby authorized, once the conditions set forth in Exhibit B are met and complied with, to sign the registered land survey for the Property and to issue a certified copy of this Resolution giving final approval of the survey.
4. The owner of the Property is authorized to record the registered land survey as required by law and shall file proof of said recording with the City. No building permits will be issued for the Property until the registered land survey is recorded.

5. This registered land survey approval may be rescinded 90 days from the date of this resolution if the survey is not recorded within that time.

Adopted this 2nd day of February, 2016.

Jerry Koch, Mayor

ATTEST:

CERTIFICATION OF CLERK

WITNESS hand officially as such City Clerk and the corporate seal of the City of Coon Rapids this ____ day of _____, 2016.

Joan Lenzmeier, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

Tracts I and J, Registered Land Survey NO. 28, Anoka County, Minnesota

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EXHIBIT B
CONDITIONS OF APPROVAL

1. The appropriate drainage and utility easements be approved by the City Engineer and recorded at the County.
2. Park dedication in the amount of \$4,000 (\$2,000 per lot) be paid prior to releasing the lot split for recording.
3. Compliance with Title 11, Land Development Regulations.



City Council Regular

8.

Meeting Date: 02/02/2016

Subject: PC 15-35: Consider Preliminary Plat, 11301 Dogwood St. (Northdale Middle School and Eisenhower Elementary School property), Anderson Johnson Assoc.

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting preliminary plat approval to plat 79 acres into six lots and two outlots. The plat includes request for variances to the minimum lot depth requirement for three lots and lot frontage for one lot.

DISCUSSION

Background

The proposed plat is being requested in conjunction with the school district's proposed site plan and conditional use permit for a vehicle maintenance facility. The facility is proposed to be located north of the middle school with access from Dogwood street.

The proposed plat includes platting 79 acres into six lots and two outlots. The proposed plat includes a request for variances to the minimum lot depth requirement for three lots and lot frontage for one lot. Current uses on the property include the middle and elementary schools, three city well houses, and a stormwater pond. The proposed plat will put each of these uses on its own lot, create a lot for the proposed school district vehicle maintenance facility and leave an outlot for future development.

- Lot 1- Northdale Middle School, 38.9 acres, no variance needed
- Lot 2 - Eisenhower Elementary School, 17.3 acres, no variance needed
- Lot 3 - City well house, 15,334 sf., variance for lot depth required
- Lot 4- City well house, 16,573 sf., variances for lot frontage and lot depth required
- Lot 5 - City well house, 13,144 sf., variance for lot depth required
- Lot 6 - Proposed maintenance facility, 5.3 acres, no variance needed
- Outlot A - Future development, 10.7 acres
- Outlot B - Stormwater pond, 5.8 acres, no variance needed

The proposed plat will clarify property ownership issues between the City and the School District. The City has facilities on School District property and the School District has improvements on City property. The proposed plat will eliminate those discrepancies.

Variances

Each of the well houses will be on its own lot, each school on its own lot and the maintenance facility on its own lot. Each of the lots meet the minimum lot area requirement and the buildings will comply with

setback requirements. However, because of the location of some of the well houses, and the desire to minimize the impact on the school district properties, those lots will need variances to lot depth. One well house is located behind a row of residences and will not have frontage on a city street.

The Subdivision Regulations permit the granting of variances. The variance can be granted provided the following are met:

Criteria for Granting a Variance	
The intent of this Chapter is met	Yes - The existing buildings comply with the setback requirements.
The granting of the variance will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located	Yes - The granting of this variance will not be detrimental to the public or neighborhood.
The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are generally not applicable to other property	Yes - The location of the well houses and the stormwater pond are unique and not generally applicable to other property.
The literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district	Yes
The special conditions and circumstances do not result from the actions of the applicant	Yes - The well houses were constructed prior to the School District owning the property.
Because of the particular natural surroundings, shape, or topographical conditions of the specific property involved, unusual hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out	Yes - without the variance the well houses and stormwater pond will not be able to be located on separate lots.

Grading, Drainage and Utilities

Grading, drainage and utilities are being reviewed by the Assistant Engineer. The issues raised can be addressed during the review of the final plans.

Planning Commission Meeting

At the Planning Commission meeting held on January 21st no one spoke at the public hearing. The Commission voted unanimously to recommend approval of the preliminary plat.

RECOMMENDATION

In Planning Case 15-35, the Commission recommended approval of the preliminary plat with the following conditions:

1. All comments made by Engineering must be addressed prior to releasing the plat for recording.
2. All title issues must be addressed prior to applying for final plat.
3. Mortgage consent obtained prior to recording of the final plat.

In Planning Case 15-35, the Planning Commission recommended approval of the variance to minimum

lot depth and lot frontage based on the following:

1. The intent of this Chapter is met.
2. The granting of the variances will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
3. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are generally not applicable to other property.
4. The literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
5. The special conditions and circumstances do not result from the actions of the applicant.
6. Because of the particular natural surroundings, shape, or topographical conditions of the specific property involved, unusual hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out

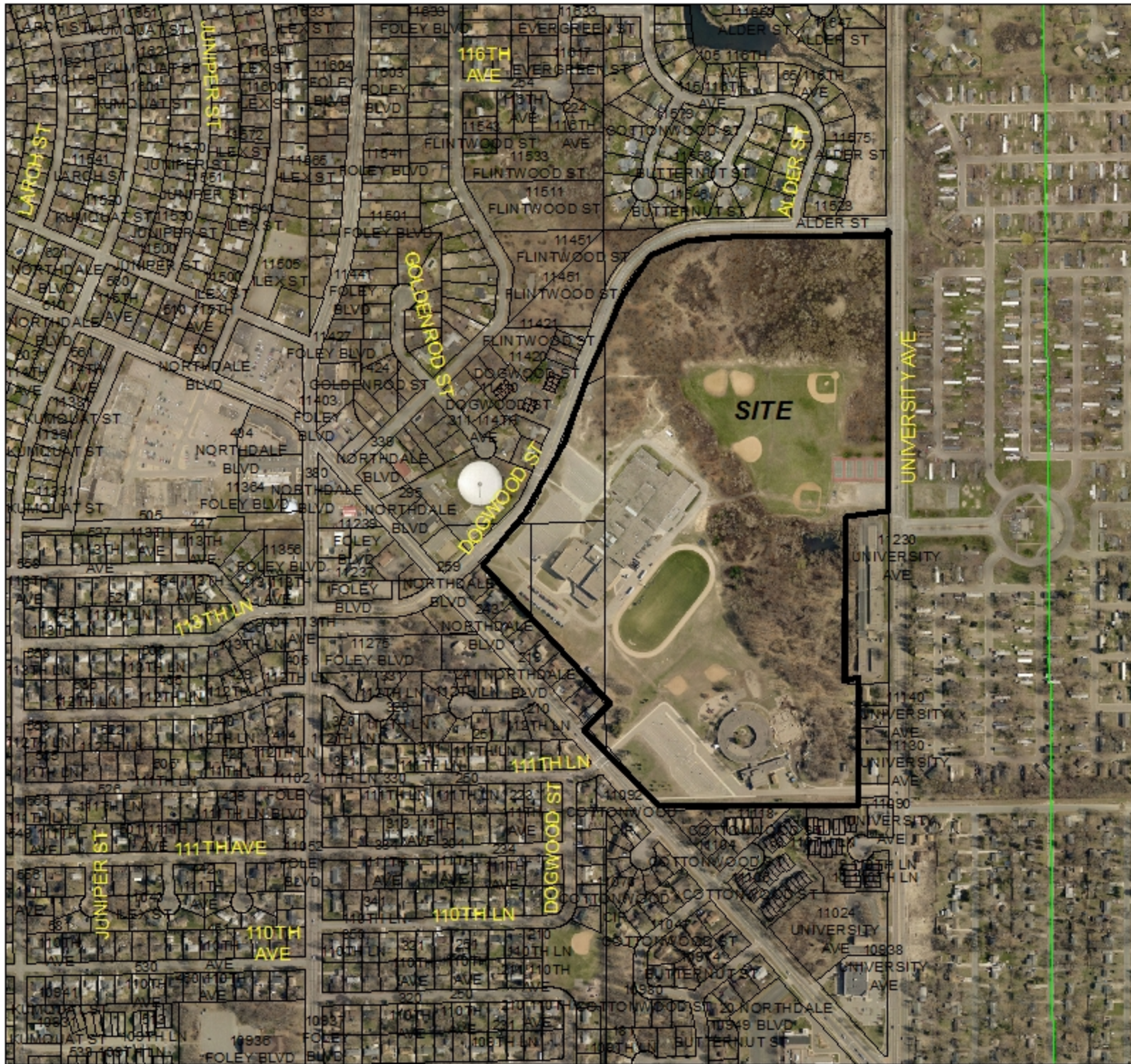
Attachments

Location Map

Preliminary Plat pg 1

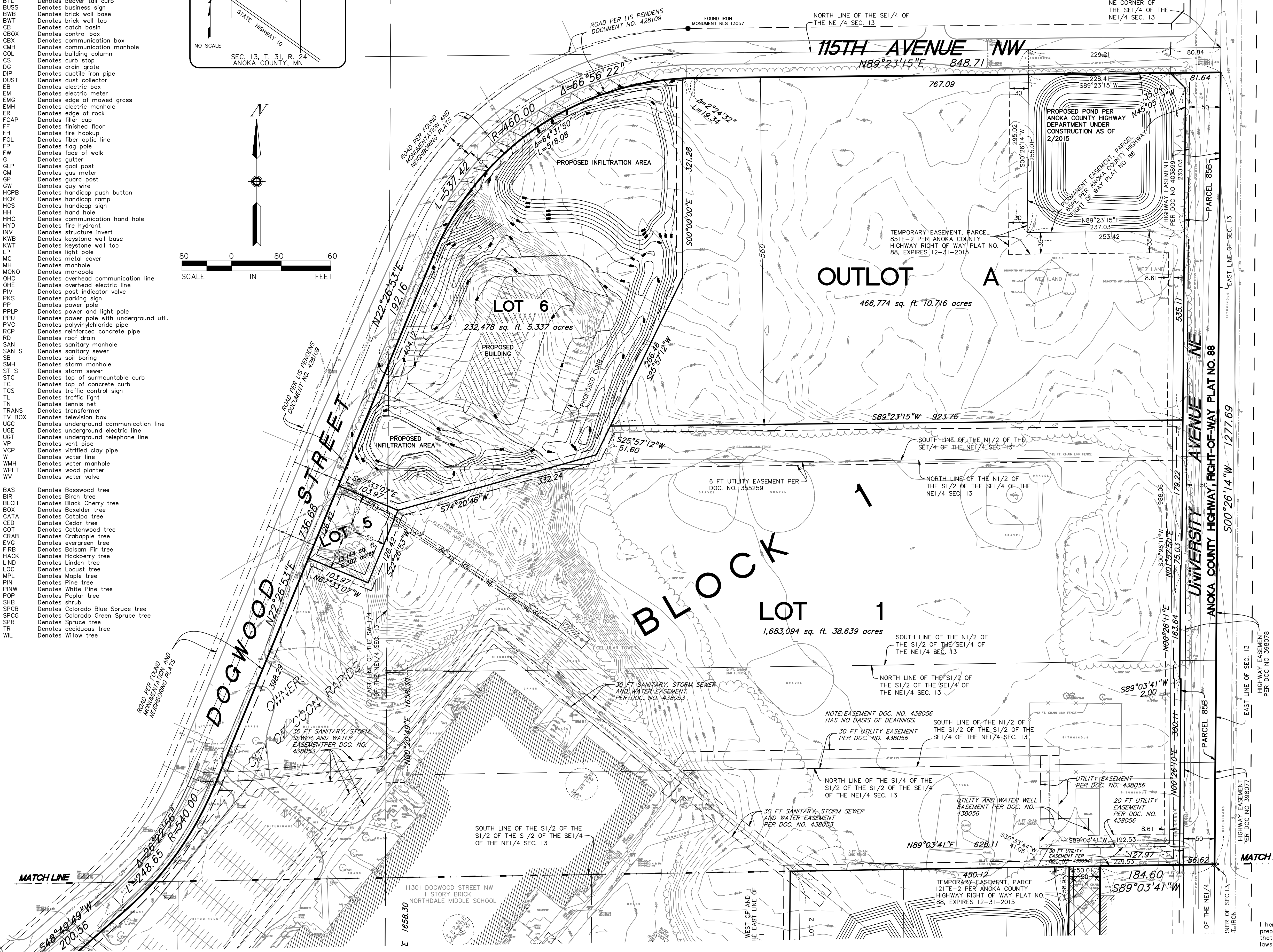
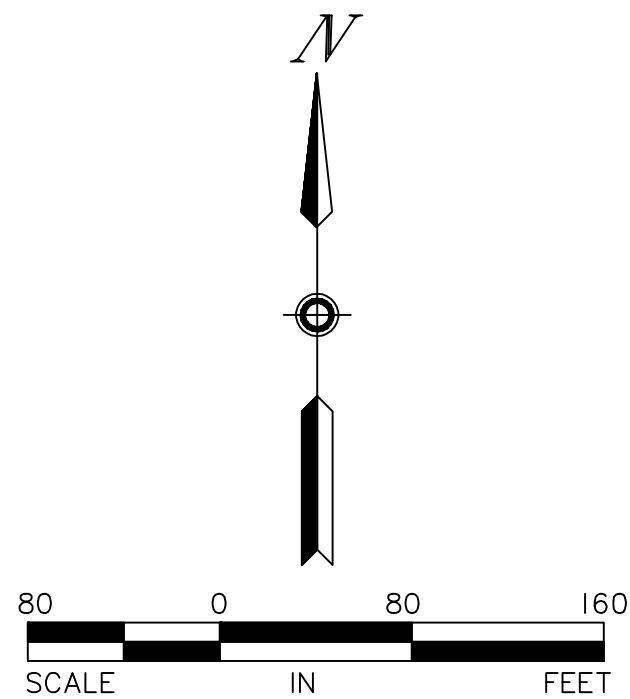
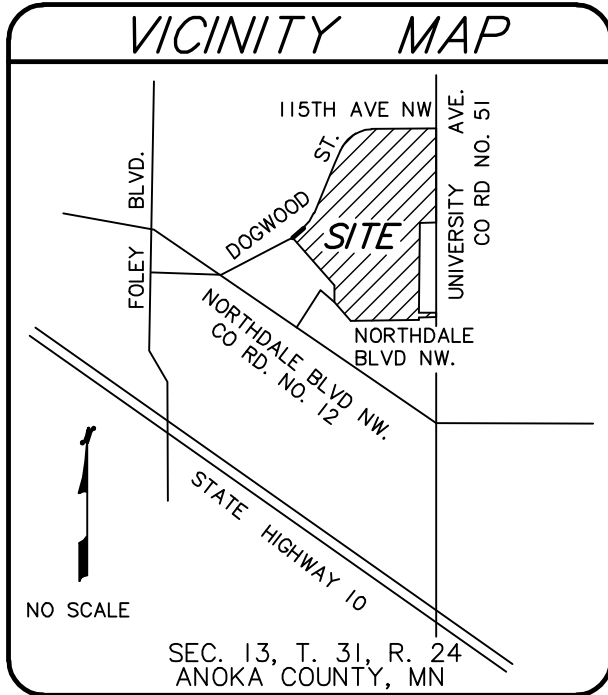
Preliminary Plat pg 2

Location Map



LEGEND

- Denotes iron monument set marked with P.L.S. No. 44900
- Denotes found iron monument
- AC Denotes air conditioner
- ANT Denotes advertising and information sign
- ANT Denotes antenna
- BH Denotes basketball hoop
- BE Denotes building entrance
- BEN Denotes bench
- BH Denotes beehive catch basin
- BOUL Denotes boulder
- BR Denotes bike rack
- BTC Denotes curb stop
- BTL Denotes beaver tail curb
- BUSS Denotes business sign
- BWB Denotes brick wall base
- BWT Denotes brick wall top
- CB Denotes catch basin
- CBOX Denotes control box
- CBX Denotes communication box
- CMH Denotes communication manhole
- COL Denotes building column
- CS Denotes curb stop
- DG Denotes drain grate
- DIP Denotes ductile iron pipe
- DUST Denotes dust collector
- EB Denotes electric box
- EM Denotes electric meter
- EMG Denotes edge of mowed grass
- EMH Denotes electric manhole
- ER Denotes edge of rock
- FCAP Denotes filler cap
- FF Denotes finished floor
- FI Denotes fire hookup
- FOL Denotes fiber optic line
- FP Denotes flag pole
- FW Denotes face of walk
- G Denotes gutter
- GLP Denotes goal post
- GM Denotes gas meter
- GP Denotes guard post
- GW Denotes guy wire
- HCPB Denotes handicap push button
- HCR Denotes handicap ramp
- HCS Denotes handicap sign
- HH Denotes hand hole
- HHC Denotes communication hand hole
- HYD Denotes fire hydrant
- INV Denotes structure invert
- KWB Denotes keystone wall base
- KWT Denotes keystone wall top
- LP Denotes light pole
- MC Denotes metal cover
- MH Denotes manhole
- MONO Denotes monopole
- OHC Denotes overhead communication line
- OHE Denotes overhead electric line
- PI Denotes post indicator valve
- PKS Denotes parking sign
- PPLP Denotes power pole
- PPU Denotes power pole with underground util.
- PVC Denotes polyvinylchloride pipe
- RCP Denotes reinforced concrete pipe
- RD Denotes roof drain
- SAN Denotes sanitary manhole
- SAN S Denotes sanitary sewer
- SB Denotes soil boring
- SMH Denotes storm manhole
- ST S Denotes storm sewer
- STC Denotes top of surmountable curb
- TC Denotes top of concrete curb
- TCS Denotes traffic control sign
- TL Denotes traffic light
- TN Denotes tennis net
- TRANS Denotes transformer
- TV BOX Denotes television box
- UGC Denotes underground communication line
- UGE Denotes underground electric line
- UGT Denotes underground telephone line
- UV Denotes vent pipe
- VP Denotes vitrified clay pipe
- W Denotes water line
- WMH Denotes water manhole
- WPLT Denotes wood planter
- WV Denotes water valve
- BAS Denotes Basswood tree
- BIR Denotes Birch tree
- BLCH Denotes Black Cherry tree
- BOX Denotes Boxelder tree
- CATA Denotes Catalpa tree
- CE Denotes Cedar tree
- COT Denotes Cottonwood tree
- CRAB Denotes Crabapple tree
- EVO Denotes evergreen tree
- FIRB Denotes Balsam Fir tree
- HACK Denotes Hackberry tree
- LIND Denotes Linden tree
- LOC Denotes Locust tree
- MPL Denotes Maple tree
- PIN Denotes Pine tree
- PINW Denotes White Pine tree
- POP Denotes Poplar tree
- SHB Denotes shrub
- SPCB Denotes Colorado Blue Spruce tree
- SPCG Denotes Colorado Green Spruce tree
- SPR Denotes Spruce tree
- TR Denotes deciduous tree
- WL Denotes Willow tree



DESCRIPTION OF PROPERTY SURVEYED

(Per Warranty Deed No. 330103)

Lots 3 and 4 and the west 1/2 of Lot 2, Auditor's Plat No. 8, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for Anoka County, Minnesota.

(Per Lis Pendens Doc. No. 333543)

The South Half of the South Half of the Southeast Quarter of the Northeast Quarter, Section 13, Township 31, Range 24, Anoka County, Minnesota.

The West Half of Lot 1, Auditor's Plat No. 8, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for Anoka County, Minnesota.

(Per Warranty Deed No. 342942)

An undivided One-Third of the East Half of Lot 2, Auditor's Plat No. 8, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for Anoka County, Minnesota.

(Per Warranty Deed No. 342943)

An undivided One-Third of the East Half of Lot 2, Auditor's Plat No. 8, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for Anoka County, Minnesota.

(Per Warranty Deed No. 342944)

An undivided One-Third of the East Half of Lot 2, Auditor's Plat No. 8, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for Anoka County, Minnesota.

(Per Warranty Deed No. 336197)

The North Half of the South Half of the Southeast Quarter of the Northeast Quarter, Section 13, Township 31, Range 24, Anoka County, Minnesota, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for Anoka County, Minnesota.

(Per Document No. 346107)

The North 60 feet of the South 95 feet of the East One-Half of Lot 1, Auditor's Plat No. 8 according to the map or plat thereof on file and of record in the office of the Anoka County Register of Deeds.

(Per Document No. 417574)

The North Half of the Southeast Quarter of the Northeast Quarter of Section 13, Township 31, Range 24, Anoka County, Minnesota, lying southerly and southeasterly of the existing public roadway.

TITLE COMMITMENT

This survey was prepared without the benefit of current title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a current title insurance commitment or attorney's title opinion.

GENERAL NOTES

1.) Survey coordinate basis: Anoka County Coordinate system.

2.) The wetlands shown on this survey were existing and flagged prior to this survey. We do not make any representation of the areas being correct and are not aware of the party that completed the flagging.

UTILITY NOTES

1.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, excavation may be necessary.

2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.

3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket numbers 132742790, 132701374, 132593454.

4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

BENCH MARKS (BM)

- 1.) Top of top nut of fire hydrant on north side of middle school.
Elevation = 908.06 feet
- 2.) Top of top nut of fire hydrant on east side of middle school.
Elevation = 907.88 feet
- 3.) Top of top nut of fire hydrant near most northwesterly corner of elementary school parking lot.
Elevation = 910.47
- 4.) Top of top nut of fire hydrant southwesterly of the SW corner of elementary school.
Elevation = 910.95
- 5.) Top of top nut of fire hydrant on south side of access road to elementary school off of University Ave.
Elevation = 910.84
- 6.) Top of top nut of fire hydrant in parking lot curb island on south side middle school.
Elevation = 907.66

NOTE: Elevations shown are based on City of Coon Rapids benchmarks which are on NGVD 29 datum.

ZONING NOTE

1.) Zoning information obtained from the City of Coon Rapids web site on January 15, 2015.

The subject property is zoned Low Density 2 (LDR2).

OWNERS/DEVELOPERS:

Independent School District #11
2727 Ferry Street North,
Anoka, MN 55303
Contact person: Steve Anderson
Phone: (763) 506-1228

City of Coon Rapids
1155 Robinson Drive
Coon Rapids, MN 55443
Contact person: Scott Harlicker
Phone: (763) 767-6452

CIVIL ENGINEER:

Anderson-Johnson Associates, Inc.
7575 Golden Valley Road, Suite 200
Golden Valley, MN 55427
Contact person: Monty Backstrom
Phone: (763) 544-7129

ARCHITECT:

Mike Kraft Architects
1442 98th Lane NW
Coon Rapids, MN 55443
Contact person: Mike Kraft
Phone: (612) 309-6002

LAND SURVEYOR:

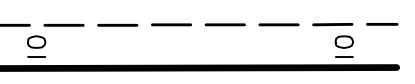
Sunde Land Surveying
9001 E. Bloomington Freeway, Suite 118
Bloomington, MN 55420
Contact person: Arlee Carlson
Phone: (952) 881-2455

AREAS

Lot 1, Block 1 = 1,683,094 square feet or 38.639 acres
Lot 2, Block 1 = 755,333 square feet or 17.340 acres
Lot 3, Block 1 = 15,334 square feet or 0.352 acres
Lot 4, Block 1 = 16,573 square feet or 0.380 acres
Lot 5, Block 1 = 13,144 square feet or 0.302 acres
Lot 6, Block 1 = 232,478 square feet or 5.337 acres
Outlot A = 466,774 square feet or 10.716 acres
Outlot B = 254,320 square feet or 5.838 acres

50 foot parcel
East of Outlot B = 38,401 square feet or 0.882 acres
Total = 3,563,785 square feet or 81.814 acres

PROPOSED DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



Being 10 feet in width and adjoining Lot lines and right of way lines, unless otherwise shown on this plat.

MATCH LINE

115TH AVENUE NW

UNIVERSITY AVENUE NE

ANOKA COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 88

PARCEL 856

PARCEL 857

PARCEL 858

PARCEL 859

PARCEL 860

PARCEL 861

PARCEL 862

PARCEL 863

PARCEL 864

PARCEL 865

PARCEL 866

PARCEL 867

PARCEL 868

PARCEL 869

PARCEL 870

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PARCEL 999

PARCEL 1000

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PARCEL 1023

PARCEL 1024

PARCEL 1025

PARCEL 1026

PARCEL 1027

PARCEL 1028

PARCEL 1029

PARCEL 1030

PARCEL 1031

PARCEL 1032

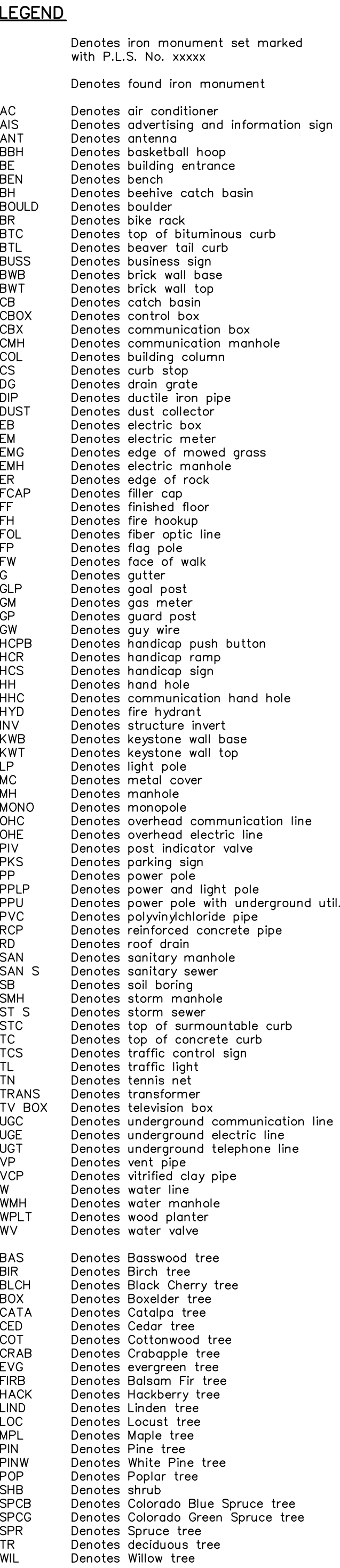
PARCEL 1033

PARCEL 1034

PARCEL 1035

PARCEL 1036

PARCEL 1037



Being 10 feet in width and adjoining Lot lines and right of way lines, unless otherwise shown on this plat.

Certified by: Arlee J. Carlson, P.L.S. Minn. Lic. No. 44900



City Council Regular

9.

Meeting Date: 02/02/2016

Subject: PC 16-3: Consider Introduction of an Ordinance Revising the Allowed Exterior Building Materials

From: Scott Harlicker, Planner

INTRODUCTION

The City Council is being asked to introduce the attached Ordinance amending the list of allowed exterior materials in the Low Density Residential 1 and 2 districts, Moderate Density Residential district, High Density Residential district, General, Community and Neighborhood Commercial districts, Office district and Industrial district.

DISCUSSION

Background

At a City Council workshop to discuss the design of the Sand Creek Park building, the discussion included possible modifications to the current regulations on acceptable exterior building materials. Given changes in the building industry with respect to exterior building materials, Council asked staff to review possible changes to City code.

Proposed Changes

Formatting Change

Low and Moderate Density Residential Districts

In the current code, the regulations for exterior building materials for institutional and commercial structures in residential districts are located in each individual district. Staff is proposing to move them to Section 11-601 General Regulations and Tables, which includes regulations that are applicable to all the residential districts.

High Density Residential District (HDR)

In the current code, the same acceptable materials list that applies to institutional and commercial commercial in the High Density Residential District also apply to multi-family buildings. That does not change. However, for consistency the reference to institutional and commercial buildings is moved to Section 11-601, and the standards for residential structures stays in the HDR district. The new proposed acceptable materials list also applies to multi-family buildings. The minimum percentage of materials requirement does not apply; however, the requirement for a mix of building materials and colors is included.

Exempt Park Structures from the Requirements

Current code is silent on how park structures should be treated with respect to exterior material requirements. In the absence of specific language, staff has treated park structures as institutional buildings, and required them to comply with the exterior material requirements. Since park structures are often smaller and designed to blend in or enhance the park experience, more natural materials might be more appropriate than those required for more substantial structures. Staff is proposing to exclude park structures from the exterior materials requirements.

Changes to Materials List

Staff looked at the design standards from 11 suburban cities from both the north and south metro area. Some cities divided the materials into two or three categories; others had one category. Most had a requirement that mandated a variety of materials; this was accomplished with the use of a minimum percentage of any one material. For instance, requiring that a building can not be composed of more than 65% of any one material would result in at least two different materials being used. There was a unanimous consensus on the top three materials, brick, stone and glass; the other top four materials were architectural metal, specialty block, stucco/EFIS and architectural precast panels. Our current code is consistent with the top materials allowed in the other cities. However, we allow fiber cement siding (no other city does) and do not allow EFIS (4 other cities do). Staff is proposing to remove fiber cement siding from the acceptable material list. This type of material is more appropriate for residential structures than commercial, institutional or industrial buildings. EIFS is currently not an acceptable material except as an accent material. Given the structural improvements in EIFS, staff is proposing to include it as an acceptable material provided it is installed in conformance with current installation reports. Below is a table comparing our materials with those used by other cities:

Coon Rapids	Other Cities (# of cities allowed)
brick	brick (11)
stone	stone (11)
architectural glass	architectural glass (11)
architectural metal	architectural metal (8)
stucco	stucco/EFIS (8)
architectural precast panels	architectural precast panels (6)
specialty blocks	specialty block (5)
fiber cement siding	

In addition, six of the cities include a process where other materials, similar to those on the acceptable list, may be used. Four cities allowed it administratively, one required a conditional use permit and one required city council approval. Staff is proposing that a process where an alternative material must be approved by the Director. This will allow some flexibility in adjusting to new materials and is generally applicable with smaller projects that do not require formal site plan review. Most new construction requires site plan review by the Planning Commission and therefore Commission approval of exterior materials.

Mix of Materials and Color

To ensure a mix of materials, staff is proposing that buildings be composed of no more than 35% of any one acceptable material for institutional and commercial buildings. This will result in at least three

different materials. This standard would apply to the front of buildings and any side or rear elevation visible from a public street, park or residential use. Other sides may have any combination of acceptable material. In the industrial district, buildings can be composed of no more than 65% of any one acceptable material. This would result in at least two different materials. This standard would apply to the front of buildings and any side or rear elevation visible from a public street, park or residential use. Other sides may have any combination of acceptable material.

To promote variations in color, the following language was included: buildings must include a variation in building materials and colors, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure.

Design Standards for Architectural Metal Panels and Precast Panels

The ordinance includes standards for architectural metal panels and architectural precast panels. The metal panels must be "Single Skin Roll Formed" and a minimum 22 gauge. Single skin roll formed is a broad industry term that is used to differentiate an architectural metal panel from the more common ribbed or corrugated metal panel. The architectural quality product is generally 22-24 gauge material.

The design standards for architectural precast panels are similar to the existing code. The design standards have been revised to include a variety of acceptable finishes. The different finishes are usually applied at the time the panels are poured or prior to installation. The following terms are standard industry finishes: exposed aggregate, light sandblast, acid etch, form liner natural, stone veneer, brick face or cast type stone finish.

Planning Commission Meeting

At the Planning Commission meeting no one spoke at the public hearing. The Commission voted unanimously to recommend approval of the proposed ordinance change.

RECOMMENDATION

In Planning Case 16-3, the Planning Commission recommended the City Council introduce the attached ordinance revising the acceptable materials for multi-family, institutional, commercial and industrial buildings.

Attachments

Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTION 11-601.12; DELETING SECTIONS 11-602.2(3), 11-603.2(3) AND 11-604.2(2)(f) AND AMENDING SECTIONS 11-605.2(2)(e), 11-701.2(5) AND 11-801.2(6), REGARDING EXTERIOR BUILDING MATERIALS

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section, 11-601.12 Institutional and Commercial

Building Materials is hereby added as follows:

(Deletions in brackets, additions double underlined)

11-601.12 Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings, excluding city park structures, must include a variation in building materials and colors, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Acceptable exterior building materials include the following:

- (a) Brick or similar custom masonry unit having brick like appearance
- (b) Natural or cementitious stone
- (c) Non-reflective architectural glass (ie. curtain wall)
- (d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22 gauge
- (e) Masonry stucco, or EFIS in conformance with ICC ES report
- (f) Integrally colored split face (rock face), burnished or glazed concrete masonry units
- (g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)
- (h) Other materials determined as acceptable by the Director

Front facades and side and rear facades visible from a public right-of-way, parks and adjacent residential uses must be composed of not more than 35 percent of any one acceptable material. Brick with a distinctively different color may be considered a second material. Side and rear facades not visible from a public right-of-way, parks and adjacent residential uses may use any combination of acceptable material. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Section 2 Revised City Code- 1982 Sections, 11-602.2(3) is hereby amended as follows:
(Deletions in brackets, additions double underlined)

11-602.2(3) ~~[Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.]~~

Section 3 Revised City Code- 1982 Sections, 11-603.2(3) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-603.2(3) ~~[Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement siding, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.]~~

Section 4 Revised City Code- 1982 Sections, 11-604.2(2)(f) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-604.2(2)(f) ~~[Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement siding, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.]~~

Section 5 Revised City Code- 1982 Section, 11-605.2(2)(e) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-605.2(2)(e) [~~Residential, Institutional and Commercial Building Materials. The exterior of residential, institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement siding, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.~~]

Residential Building Materials. The exterior of residential buildings must include a variation in building materials and colors, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Brick with a distinctively different color may be considered a second material. Acceptable exterior building materials include the following:

- (a) Brick or similar custom masonry unit having brick like appearance
- (b) Natural or cementitious stone
- (c) Non-reflective architectural glass (ie. curtain wall)
- (d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22 gauge
- (e) Masonry stucco, or EFIS in conformance with ICC ES report
- (f) Integrally colored split face (rock face), burnished or glazed concrete masonry units
- (g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)
- (h) Other materials determined as acceptable by the Director

Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Section 6 Revised City Code- 1982 Section, 11-701.2(5) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-701.2(5) All exterior wall surfaces must include a variation in building materials and color, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. [~~Exterior building materials must be primarily brick, stone, fiber cement siding, stucco, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.~~]
Acceptable exterior building materials include the following:

- (a) Brick or similar custom masonry unit having brick like appearance
- (b) Natural or cementitious stone
- (c) Non-reflective architectural glass (ie. curtain wall)
- (d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22 gauge
- (e) Masonry stucco, or EFIS in conformance with ICC ES report
- (f) Integrally colored split face (rock face), burnished or glazed concrete masonry units
- (g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)
- (h) Other materials determined as acceptable by the Director

Front facades and side and rear facades visible from a public right-of-way, parks and adjacent residential uses must be composed of not more than 35 percent of any one acceptable material. Brick with a distinctively different color may be considered a second material. Side and rear facades not visible from a public right-of-way, parks and adjacent residential uses may use any combination of acceptable material. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Section 7 Revised City Code- 1982 Section, 11-801.2(6) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-801.2(6) High quality, exterior building materials must be used. All exterior wall surfaces must include a variation in building materials and color, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. [~~Such materials include brick, natural stone, integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete~~

~~panels, integrally colored, concrete masonry units and similar materials, prefinished architectural metal panels, non-reflective architectural glass. (i.e. curtain wall). Accent materials may include metal, glass block, EIFS and similar materials. Exterior materials shall not include smooth-faced concrete block, pre-fabricated steel panels, reflective glass or aluminum, fiberglass or vinyl siding.]~~ Acceptable exterior building materials include the following:

- (a) Brick or similar custom masonry unit having brick like appearance
- (b) Natural or cementitious stone
- (c) Non-reflective architectural glass (ie. curtain wall)
- (d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22

gauge

- (e) Masonry stucco, or EFIS in conformance with ICC ES report
- (f) Integrally colored split face (rock face), burnished or glazed concrete

masonry units

(g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)

- (h) Other materials determined as acceptable by the Director

Front facades and side and rear facades visible from a public right-of-way, parks and adjacent residential uses must be composed of not more than 65 percent of any one acceptable material. Brick with a distinctively different color may be considered a second material. Side and rear facades not visible from a public right-of-way, parks and adjacent residential uses may use any combination of acceptable material. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Introduced this ____ day of _____, 2016.

Adopted this ____ day of _____, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

10.

Meeting Date: 02/02/2016

Subject: Consider Resolution 16-26 Authorizing Sale of Tax-Forfeited Property

From: Scott Harlicker, Planner

INTRODUCTION

The City Council is asked to consider Resolution 16-26 authorizing the sale of tax-forfeited properties.

DISCUSSION

The following properties have been approved for sale by Anoka County subject to review by the City.

PIN/LEGAL DESCRIPTION	ADDRESS
22-31-24-13-0038 LOT 11 BLOCK 1 WOODLAND PARK , EX RDS SUBJ TO EASE OF REC	10656 Killdeer Street
13-31-24-44-0116 LOT 1 BLOCK 1 THAYER OAKS , EX RD SUBJ TO EASE OF REC	11118 Cottonwood Street
22-31-24-44-0034 THAT PRT OF LOT 1 BLK 1 GUNTHER ADD DESC AS FOL: COM AT NE COR OF SD LOT TH S 0 DEG 40 MIN 57 SEC W ALG E LINE OF SD LOT 40 FT, TH S 44 DEG 18 MIN 56 SEC E 57.39 FT TO POB, TH S 35 DEG 37 MIN 21 SEC W 30 FT, TH S 57 DEG 58 MIN 28 SEC E 20.04 FT +OR- TO SELY LINE OF SD LOT, TH NELY ALG SD SELY LINE 25.19 FT TO MOST ELY COR OF SD LOT TH NWLY ALG NELY LINE OF SD LOT TO POB; EX RD SUBJ TO EASE OF REC	NA
24-31-24-12-0006 THAT PRT OF LOT 18 AUDITORS PLAT NO 8 LYG W OF E 788 FT & LYG E OF W 497.6 FT THEREOF	NA
15-31-24-43-0006 THAT PRT OF TRACT "A" DESC BELOW LYG ELY OF NLY EXT OF COMMON LOT LINE BETWEEN LOT 1 & 2 BLK 1 TENOLD ADD & WLY OF NLY EXT OF E LINE OF LOT 2 BLK 1 SD TENOLD ADD TRACT "A"; PRT OF SW1/4 OF SE1/4 DESC AS FOL, COM AT SW COR OF SD 1/4 1/4, TH E ALG S LINE THEREOF 730 FT, TH DEFL LFT 90 DEG 34 MIN 37 SEC 15.42 FT, TH WLY IN A STRAIGHT LINE 730 FT +OR- TO POC SUBJ TO EASE OF REC	NA

23-31-24-11-0031 THAT PRT OF NE1/4 OF NE1/4 SEC 23 TWP 31 RGE 24 LYG NELY OF NELY R/W LINE OF T H #10 & 47 LYG SWLY OF THAT PRT PLATTED AS NORTHDAL 8TH ADD LYG SELY OF SWLY EXTN OF NWLY LINE OF LOT 1 BLK 10 OF SDNORTHDAL 8TH ADD & LYG NWLY OF SWLY EXTN OF SELY LINE OF SD LOT 1, EX RD SUBJ TO EASE OF REC	NA
23-31-24-11-0030 THAT PRT OF NE1/4 OF NE1/4 SEC 23 TWP 31 RGE 24 LYG NELY OF NELY R/W LINE OF T H # 10 & 47 & SWLY OF THAT PRT PLATTED AS NORTHDAL 8TH ADD LYG SELY OF SWLY EXTN OF WLY R/W LINE OF OLIVE ST & LYG NWLY OF SWLY EXTN OF ELY R/W LINE OF OLIVE ST SUBJ TO EASE OF REC	NA

Staff recommends the following:

1. [22-31-24-13-0038](#) Sell the property to the highest bidder.
2. [13-31-24-44-0116](#) Sell the property to the highest bidder.
3. [22-31-24-44-0034](#) Sell the property to the abutting landowner.
4. [24-31-24-12-0006](#) Sell the property to the abutting landowner.
5. [15-31-24-43-0006](#) Sell the property to the abutting landowner.
6. [23-31-24-11-0031](#) Sell the property to the abutting landowner.
7. [23-31-24-11-0030](#) Convey the property to the City of Coon Rapids.

RECOMMENDATION

Staff recommends the Council adopt Resolution 16-26 authorizing the sale of tax-forfeited properties in the following manner:

1. [22-31-24-13-0038](#) Sell the property to the highest bidder.
2. [13-31-24-44-0116](#) Sell the property to the highest bidder.
3. [22-31-24-44-0034](#) Sell the property to the abutting landowner.
4. [24-31-24-12-0006](#) Sell the property to the abutting landowner.
5. [15-31-24-43-0006](#) Sell the property to the abutting landowner.
6. [23-31-24-11-0031](#) Sell the property to the abutting landowner.
7. [23-31-24-11-0030](#) Convey the property to the City of Coon Rapids.

Attachments

Resolution 16-26

Location Maps

RESOLUTION NO. 16-26

RESOLUTION AUTHORIZING THE SALE OF A TAX FORFEIT PROPERTIES

WHEREAS, the following described parcels of land (the “Properties”) are located in the City of Coon Rapids:

PIN/LEGAL DESCRIPTION	ADDRESS
22-31-24-13-0038 LOT 11 BLOCK 1 WOODLAND PARK , EX RDS SUBJ TO EASE OF REC	10656 Killdeer Street
13-31-24-44-0116 LOT 1 BLOCK 1 THAYER OAKS , EX RD SUBJ TO EASE OF REC	11118 Cottonwood Street
22-31-24-44-0034 THAT PRT OF LOT 1 BLK 1 GUNTHER ADD DESC AS FOL: COM AT NE COR OF SD LOT TH S 0 DEG 40 MIN 57 SEC W ALG E LINE OF SD LOT 40 FT, TH S 44 DEG 18 MIN 56 SEC E 57.39 FT TO POB, TH S 35 DEG 37 MIN 21 SEC W 30 FT, TH S 57 DEG 58 MIN 28 SEC E 20.04 FT +OR- TO SELY LINE OF SD LOT, TH NELY ALG SD SELY LINE 25.19 FT TO MOST ELY COR OF SD LOT TH NWLY ALG NELY LINE OF SD LOT TO POB; EX RD SUBJ TO EASE OF REC	NA
24-31-24-12-0006 THAT PRT OF LOT 18 AUDITORS PLAT NO 8 LYG W OF E 788 FT & LYG E OF W 497.6 FT THEREOF	NA
15-31-24-43-0006 THAT PRT OF TRACT "A" DESC BELOW LYG ELY OF NLY EXT OF COMMON LOT LINE BETWEEN LOT 1 & 2 BLK 1 TENOLD ADD & WLY OF NLY EXT OF E LINE OF LOT 2 BLK 1 SD TENOLD ADD TRACT "A"; PRT OF SW1/4 OF SE1/4 DESC AS FOL, COM AT SW COR OF SD 1/4 1/4, TH E ALG S LINE THEREOF 730 FT, TH DEFL LFT 90 DEG 34 MIN 37 SEC 15.42 FT, TH WLY IN A STRAIGHT LINE 730 FT +OR- TO POC SUBJ TO EASE OF REC	NA
23-31-24-11-0031 THAT PRT OF NE1/4 OF NE1/4 SEC 23 TWP 31 RGE 24 LYG NELY OF NELY R/W LINE OF T H #10 & 47 LYG SWLY OF THAT PRT	NA

PLATTED AS NORTHDAL 8TH ADD LYG SELY OF SWLY EXTN OF NWLY LINE OF LOT 1 BLK 10 OF SDNORTHDAL 8TH ADD & LYG NWLY OF SWLY EXTN OF SELY LINE OF SD LOT 1, EX RD SUBJ TO EASE OF REC	
23-31-24-11-0030 THAT PRT OF NE1/4 OF NE1/4 SEC 23 TWP 31 RGE 24 LYG NELY OF NELY R/W LINE OF T H # 10 & 47 & SWLY OF THAT PRT PLATTED AS NORTHDAL 8TH ADD LYG SELY OF SWLY EXTN OF WLY R/W LINE OF OLIVE ST & LYG NWLY OF SWLY EXTN OF ELY R/W LINE OF OLIVE ST SUBJ TO EASE OF REC	NA

WHEREAS, the Properties have been forfeited to the State of Minnesota for nonpayment of taxes, and

WHEREAS, Coon Rapids City Council finds that parcel 24-31-24-11-0030 would provide optimal use if conveyed to the City of Coon Rapids, and

WHEREAS, Coon Rapids City Council finds that the remaining Properties would provide optimal use if sold at an auction to the highest bidder or sold to an abutting property owner.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Coon Rapids, Minnesota, that Anoka County is hereby authorized to sell the following described tax forfeit properties.

PIN/LEGAL DESCRIPTION	ADDRESS
22-31-24-13-0038 LOT 11 BLOCK 1 WOODLAND PARK , EX RDS SUBJ TO EASE OF REC	10656 Killdeer Street
13-31-24-44-0116 LOT 1 BLOCK 1 THAYER OAKS , EX RD SUBJ TO EASE OF REC	11118 Cottonwood Street
22-31-24-44-0034 THAT PRT OF LOT 1 BLK 1 GUNTHER ADD DESC AS FOL: COM AT NE COR OF SD LOT TH S 0 DEG 40 MIN 57 SEC W ALG E LINE OF SD LOT 40 FT, TH S 44 DEG 18 MIN 56 SEC E 57.39 FT TO POB, TH S 35 DEG 37 MIN 21 SEC W 30 FT, TH S 57 DEG 58 MIN 28 SEC E 20.04 FT +OR- TO SELY LINE OF SD LOT, TH NELY ALG SD SELY LINE 25.19 FT TO MOST ELY	NA

COR OF SD LOT TH NWLY ALG NELY LINE OF SD LOT TO POB; EX RD SUBJ TO EASE OF REC	
24-31-24-12-0006 THAT PRT OF LOT 18 AUDITORS PLAT NO 8 LYG W OF E 788 FT & LYG E OF W 497.6 FT THEREOF	NA
15-31-24-43-0006 THAT PRT OF TRACT "A" DESC BELOW LYG ELY OF NLY EXT OF COMMON LOT LINE BETWEEN LOT 1 & 2 BLK 1 TENOLD ADD & WLY OF NLY EXT OF E LINE OF LOT 2 BLK 1 SD TENOLD ADD TRACT "A"; PRT OF SW1/4 OF SE1/4 DESC AS FOL, COM AT SW COR OF SD 1/4 1/4, TH E ALG S LINE THEREOF 730 FT, TH DEFL LFT 90 DEG 34 MIN 37 SEC 15.42 FT, TH WLY IN A STRAIGHT LINE 730 FT +OR- TO POC SUBJ TO EASE OF REC	NA
23-31-24-11-0031 THAT PRT OF NE1/4 OF NE1/4 SEC 23 TWP 31 RGE 24 LYG NELY OF NELY R/W LINE OF T H #10 & 47 LYG SWLY OF THAT PRT PLATTED AS NORTHDAL 8TH ADD LYG SELY OF SWLY EXTN OF NWLY LINE OF LOT 1 BLK 10 OF SDNORTHDAL 8TH ADD & LYG NWLY OF SWLY EXTN OF SELY LINE OF SD LOT 1, EX RD SUBJ TO EASE OF REC	NA

NOW, THEREFORE, BE IT FURTHER RESOLVED that Coon Rapids City Council finds that the following parcel would provide optimal use if conveyed to the City of Coon Rapids:

[23-31-24-11-0030](#)

THAT PRT OF NE1/4 OF NE1/4 SEC 23 TWP 31 RGE 24 LYG NELY OF NELY R/W LINE OF T H # 10 & 47 & SWLY OF THAT PRT PLATTED AS NORTHDAL 8TH ADD LYG SELY OF SWLY EXTN OF WLY R/W LINE OF OLIVE ST & LYG NWLY OF SWLY EXTN OF ELY R/W LINE OF OLIVE ST SUBJ TO EASE OF REC

Adopted by the Coon Rapids, Minnesota City Council this 2nd day of February 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



22-31-24-13-0038 Coon Rapids



Aerial Photo: Flown Spring of 2014





13-31-24-44-0116

Coon Rapids



Aerial Photo: Flown Spring of 2014





22-31-24-44-0034 Coon Rapids



Aerial Photo: Flown Spring of 2014



24-31-24-12-0006

Coon Rapids



Scale 1:500



Aerial Photo: Flown Spring of 2014





15-31-24-43-0006 Coon Rapids



Aerial Photo: Flown Spring of 2014





23-31-24-11-0031

Coon Rapids



Scale 1:600



Aerial Photo: Flown Spring of 2014





23-31-24-11-0030

Coon Rapids



Aerial Photo: Flown Spring of 2014





City Council Regular

11.

Meeting Date: 02/02/2016

Subject: Consider Documents for Anoka County Right-of-Way Acquisition, 11313 Foley Boulevard

Submitted For: Tim Himmer, Public Works Director

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

Council is asked to consider deeds for portions of City-owned property at 11313 Foley Boulevard NW (water tower site) related to an Anoka County road construction project.

DISCUSSION

On September 15, 2015, Council approved a Joint Powers Agreement with Anoka County for the Reconstruction of Foley Boulevard between Egret and Northdale Boulevards (City Project 13-10). Anoka County plans to reconstruct the segment in 2016 and is requesting temporary and permanent easements over a strip of the property at 11313 Foley Boulevard. The two deeds attached will approve easement access for temporary construction purposes and permanent right-of-way for sidewalk placement. Staff has reviewed the plans and supports execution of the documents.

RECOMMENDATION

Staff recommends that City Council:

- a. Approve the quit claim and warranty deeds for portions of the property at 11313 Foley Boulevard NW.
- b. Authorize the Mayor and City Manager to execute the deeds.

Attachments

Warranty Deed

Quit Claim Deed

Location Maps

Easement Locations

WARRANTY DEED
Corporation or Partnership to
Corporation or Partnership

No delinquent taxes and transfer entered; Certificate
of Real Estate Value () filed () not required
Certificate of Real Estate Value No. _____
_____, 20 ____

County Auditor

by _____
Deputy

STATE DEED TAX DUE HEREON: \$

DATE: _____, 20 ____

(reserved for recording data)

FOR VALUABLE CONSIDERATION, City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, Grantor, hereby conveys and warrants to the County of Anoka, a political subdivision under the laws of the State of Minnesota, Grantee, real property in Anoka County, Minnesota, described as follows:

Parcel 72, Anoka County Highway Right of Way Plat No. 93, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles

Grantor, for itself, its successors and assigns, do hereby grant and convey to the County of Anoka all grasses, shrubs, trees and natural growth now existing on said lands or that may be hereafter planted or grown thereon, and the right to remove and use all earth and other materials lying within the parcel of land hereby conveyed.

The said Grantor does hereby release the County of Anoka from any claims for damages to the fair market value of the above-described area covered by this easement and for its use, or any claims for damages to the fair market value of the remaining property of Grantor caused by the use of the easement, including grading and removal of materials from said easement area for highway purposes. Notwithstanding the foregoing, Grantor does not release any claims Grantor may have as a result of the negligence of the Grantee, its agents or contractors, in conducting any of the above activities.

Grantor(s) warrants that it has no knowledge of any hazardous substance located in or on the land and that the Grantor(s) had no knowledge of any hazardous substance located in or on the land at the time right, title or interest in the land was first acquired by the Grantor(s).

Grantor(s) certifies that the Grantor(s) does not know of any wells on the described real property.
(if more space is needed, continue on back)

City of Coon Rapids

By _____
Its _____
By _____
Its _____

Affix Deed Tax Stamp Here

STATE OF MINNESOTA

SS.

COUNTY OF ANOKA

The foregoing instrument was acknowledged before me this _____ day of _____, 20 ____
by _____ and _____,
the _____ and _____,
of the City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, on behalf of the municipal corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

THIS INSTRUMENT DRAFTED BY:
THE ANOKA COUNTY HIGHWAY DEPT.
1440 BUNKER LAKE BLVD.
ANDOVER, MN 55304

COUNTY OF ANOKA
C/O HIGHWAY DEPARTMENT
1440 BUNKER LAKE BLVD.
ANDOVER, MN 55304

QUIT CLAIM DEED
Corporation or Partnership to
Corporation or Partnership

No delinquent taxes and transfer entered; Certificate
of Real Estate Value () filed () not required
Certificate of Real Estate Value No. _____
_____, 20 ____

County Auditor
by _____
Deputy

STATE DEED TAX DUE HEREON: \$

DATE: _____, 20 ____

(reserved for recording data)

FOR VALUABLE CONSIDERATION, City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, Grantor, hereby conveys and quitclaims to the County of Anoka, a political subdivision under the laws of the State of Minnesota, Grantee, real property in Anoka County, Minnesota, described as follows:

A temporary easement for construction purposes over Parcel 72TE, Anoka County Highway Right-of-Way Plat No. 93, according to the map or plat thereof on file and of record in the office of the Anoka County Recorder and Registrar of Titles.

Said temporary easement to expire on June 30, 2017.

Grantor(s) warrants that it has no knowledge of any hazardous substance located in or on the land and that the Grantor(s) had no knowledge of any hazardous substance located in or on the land at the time right, title or interest in the land was first acquired by the Grantor(s).

Grantor(s) certifies that the Grantor(s) does not know of any wells on the described real property.

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

City of Coon Rapids

By _____
Its _____
By _____
Its _____

Affix Deed Tax Stamp Here

STATE OF MINNESOTA

ss.

COUNTY OF ANOKA

The foregoing instrument was acknowledged before me this ____ day of _____, 20
by _____ and _____,
the _____ and _____,
of the City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, on behalf of the municipal corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

THIS INSTRUMENT DRAFTED BY:
THE ANOKA COUNTY HIGHWAY DEPT.
1440 BUNKER LAKE BLVD.
ANDOVER, MN 55304

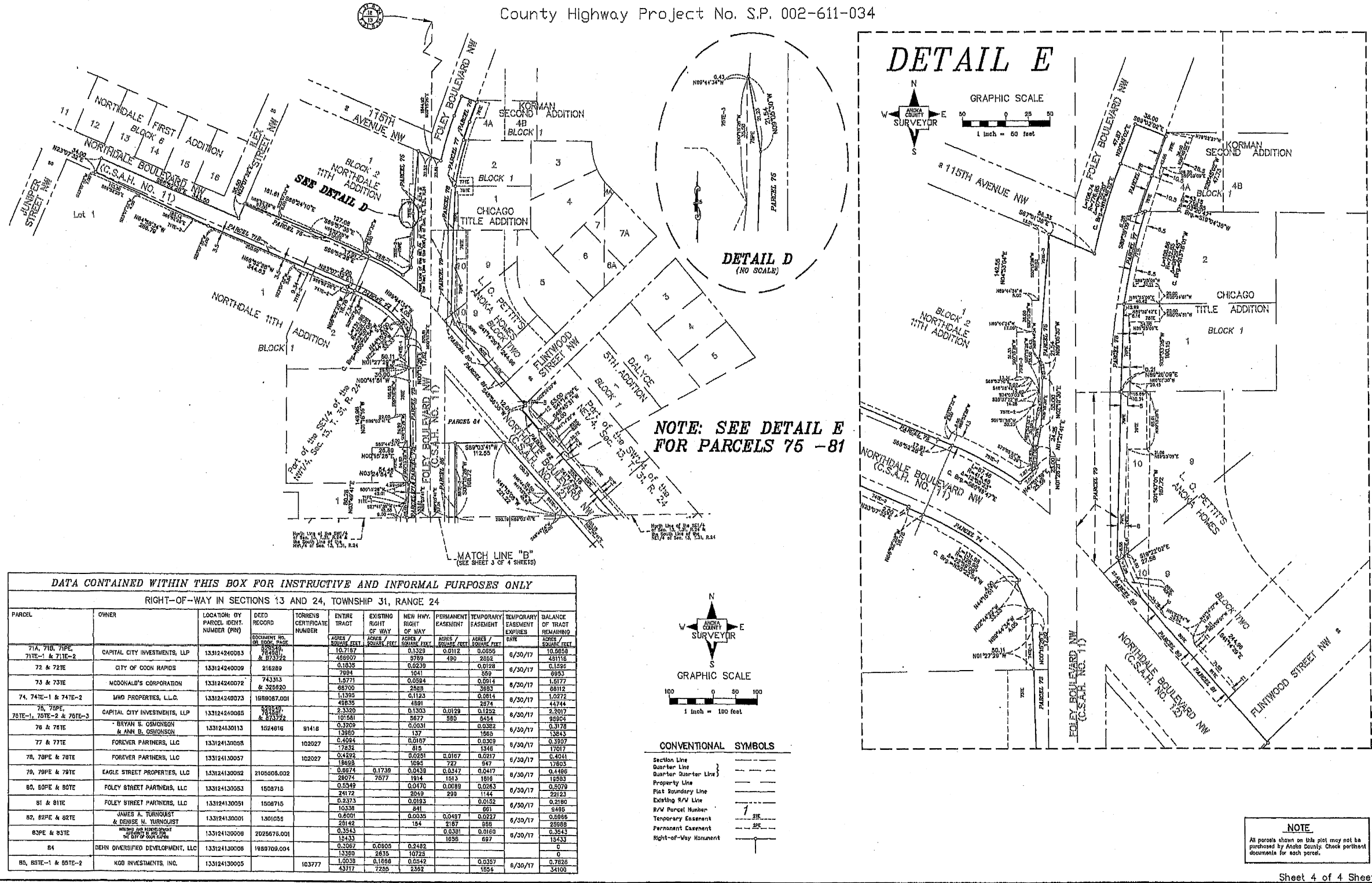
GRANTEE STATEMENT AND SEND TAX STATEMENTS TO:

COUNTY OF ANOKA
C/O HIGHWAY DEPARTMENT
1440 BUNKER LAKE BLVD.
ANDOVER, MN 55304

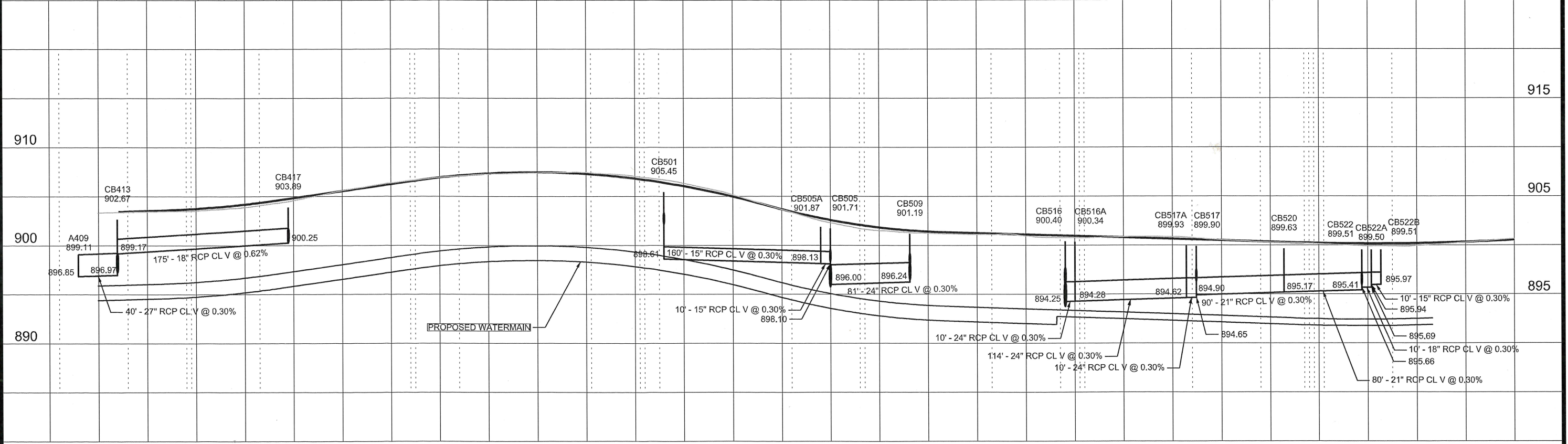
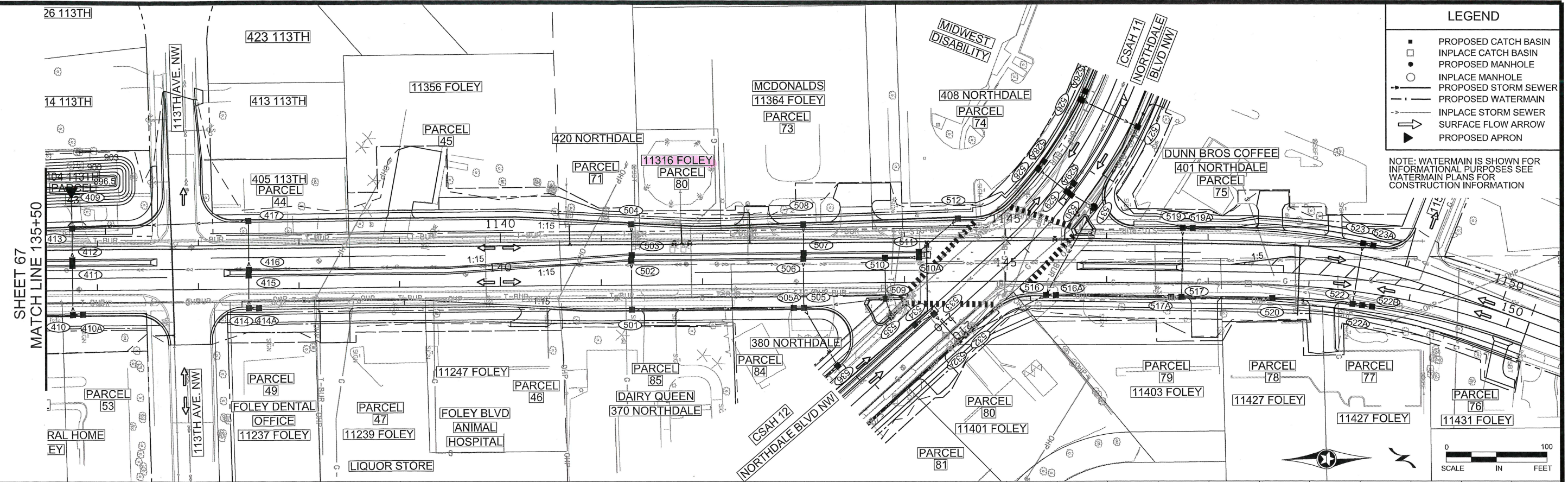
ANOKA COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 93

County Highway Project No. S.P. 002-611-034

Book 4 CORW Page 15



DATA CONTAINED WITHIN THIS BOX FOR INSTRUCTIVE AND INFORMAL PURPOSES ONLY									
RIGHT-OF-WAY IN SECTIONS 13 AND 24, TOWNSHIP 31, RANGE 24									
PARCEL	OWNER	LOCATION, BY PARCEL IDENT. NUMBER (PIN)	DEED RECORD	TORRENS CERTIFICATE NUMBER	ENTIRE TRACT	EXISTING RIGHT OF WAY	NEW HWY. RIGHT OF WAY	PERMANENT EASEMENT	TEMPORARY EASEMENT
71A, 71B, 71C, 71D, 71E, 71F, 71G, 71H, 71I, 71J, 71K, 71L, 71M, 71N, 71O, 71P, 71Q, 71R, 71S, 71T, 71U, 71V, 71W, 71X, 71Y, 71Z	CAPITAL CITY INVESTMENTS, LLP	133124240053	133124240053	102027	10.7157	0.1329	0.0112	0.0056	6/30/17
72 & 72E	CITY OF COON RAPIDS	133124240059	216289		406907	9789	490	2054	6/30/17
73 & 73E	MCDONALD'S CORPORATION	133124240072	743313		1.5771	0.0584	0.0014	0.0014	6/30/17
74, 74E-1 & 74E-2	MWD PROPERTIES, LLC	133124240073	1899087.001		68700	2569	3553	6/30/17	6/30/17
75, 75E, 75E-1, 75E-2 & 75E-3	CAPITAL CITY INVESTMENTS, LLP	133124240085	921547		1.1395	0.1123	0.0014	0.0014	6/30/17
76 & 76E	BRYAN S. OSMONSON & ANN D. OSMONSON	133124430113	1524816	91418	101581	5877	580	5454	6/30/17
77 & 77E	FOREVER PARTNERS, LLC	133124130058		102027	13950	137	1563	6/30/17	6/30/17
78, 78E & 78E	FOREVER PARTNERS, LLC	133124130057		102027	17832	815	1346	6/30/17	6/30/17
79, 79E & 79E	EAGLE STREET PROPERTIES, LLC	133124130092	2105808.002		0.8874	0.1739	0.0439	0.0437	6/30/17
80, 80E & 80E	FOLEY STREET PARTNERS, LLC	133124130053	1508715		26074	7577	1814	1816	6/30/17
81 & 81E	FOLEY STREET PARTNERS, LLC	133124130051	1508715		0.5949	0.0470	0.0089	0.0263	6/30/17
82, 82E & 82E	JAMES A. TURNOUST & DENISE M. TURNOUST	133124130051	1301055		24172	204	1144	6/30/17	6/30/17
83E & 83E	MAYOR AND PARTNERS, LLC	133124130058	2029678.001		0.2373	0.0193	0.0132	0.0132	6/30/17
84	DEHN DIVERSIFIED DEVELOPMENT, LLC	133124130058	1989709.004		10338	841	691	6/30/17	6/30/17
85, 85E-1 & 85E-2	KOB INVESTMENTS, INC.	133124130055		103777	0.6001	0.0035	0.0487	0.0227	6/30/17
					25142	154	2187	959	6/30/17
					0.3443	0.0381	0.0150	0.0150	6/30/17
					18433	0.0505	0.2482	6/30/17	6/30/17
					13350	2835	10725	6/30/17	6/30/17
					1.0038	0.1686	0.0542	0.0357	6/30/17
					43717	7255	2352	1554	6/30/17



NO	DATE	BY	CKD	APPR	REVISION
NAME: P:\02-611-34\Plan\002-611-034_DR_P4.dgn					

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: _____

SIGNATURE: _____

DATE: _____ LICENSE NO. _____

DRAWN BY: DFP DATE: 09/01/15

DESIGN BY: DFP DATE: 09/01/15

CHECKED BY: GMP DATE: 09/01/15

ANOKA COUNTY
HIGHWAY DEPT.

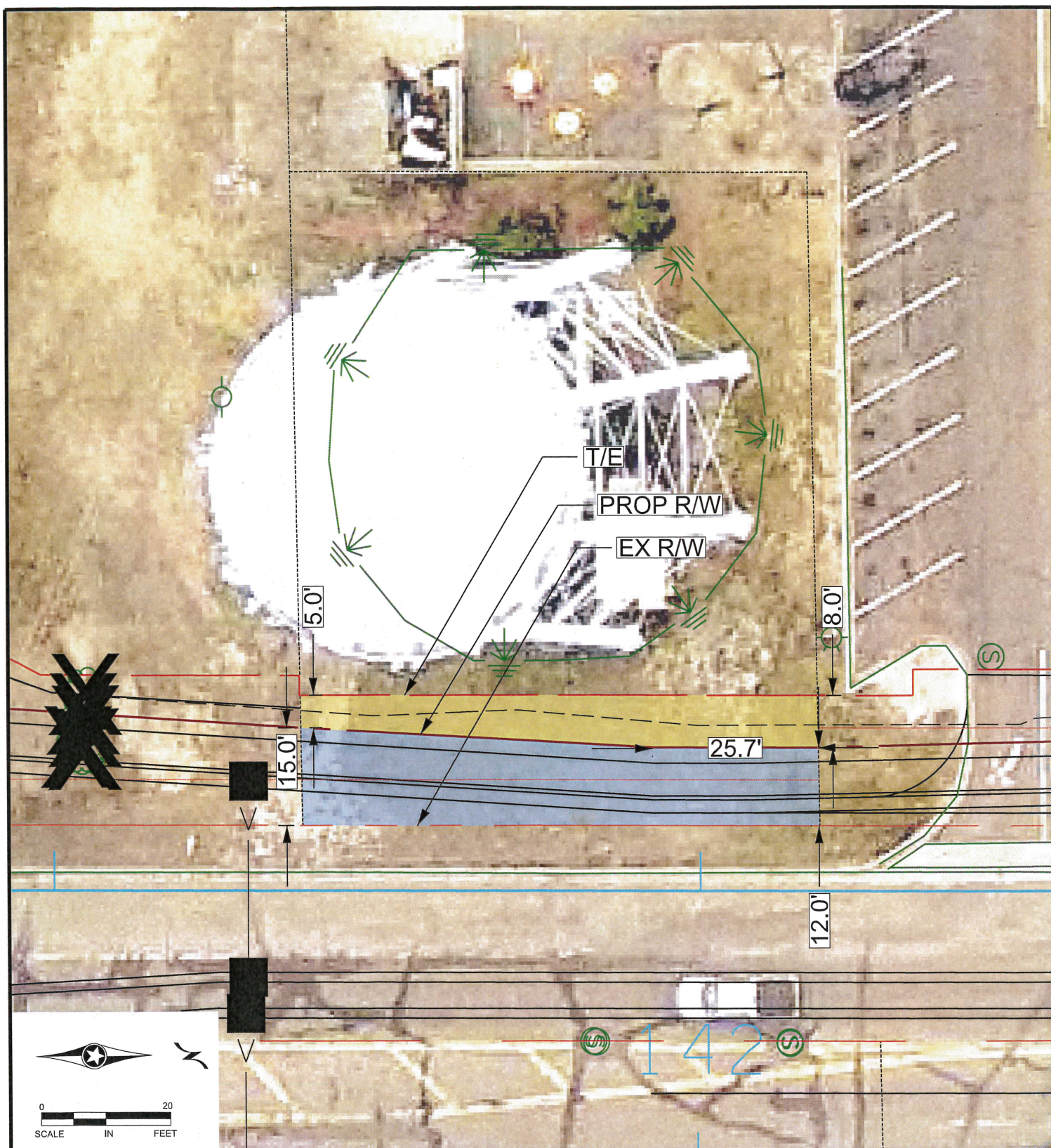
SP 002-611-034
SP 114-020-050
CP 13-10

DRAINAGE PLAN & PROFILE

STA 135+50 TO END

Sheet 68 of 198 Sheets

4 OF 7



LEGEND

---	CONST. LIMITS	X	TREE REMOVAL
---	EXISTING FEATURES	X	TREE REMOVAL
---	PROPOSED FEATURES		

AREAS (SQ FT)

NEW R/W	NEW P.E.	T.E.
1041	0	559

11313 FOLEY BLVD NW (WATER TOWER)

PIN # 13-31-24-24-0009

S.P. 002-611-034

PARCEL # 72

12/17/14



City Council Regular

12.

Meeting Date: 02/02/2016

Subject: Kurt Sutherland, 1610-1620 107th Avenue NW, Rental License Denial Appeal

From: Kristin DeGrande, Neighborhood
Coordinator

INTRODUCTION

City staff has denied Kurt Sutherland's request for a rental license for his properties at 1610 and 1620 107th Avenue NW. Mr. Sutherland is appealing Staff's decision.

DISCUSSION

On July 10, 2015, the City Assessing Department reported the sale of 1610-1620 107th Avenue NW to the inspectors in the Neighborhood Reinvestment Division since the property had previously been a licensed rental property. If the new owners were also operating this address as a rental property, a new rental license would be required. The property had been sold on April 30, 2015.

On July 14, 2015, a City inspector visited the property and spoke with one of the tenants. They indicated that both units were being rented out and provided the housing inspector with the property owner's contact information. Since the properties did not have the required rental license, a voice mail was left with the property owner explaining the rental licensing requirements.

On July 20, 2015, Mr. Sutherland, the property owner, called the inspector back and they discussed the rental license requirements and application process. Mr. Sutherland indicated he would submit his rental license application within two weeks.

As of September 1, 2015, the City had not received an application and a \$300 administrative citation was issued to Mr. Sutherland for operating an unlicensed rental property. The citation gave the property owner until October 1, 2015 to submit a rental license application and pay the associated license fees. The citation was mailed to both the owner of record's address as filed with Anoka County property records (1610 107th Avenue NW) and to the owner's address in Zimmerman as provided by the tenants.

On September 2, 2015, the citation that had been sent to the address in Zimmerman was returned to City Hall as unable to forward. Since the property owner did not receive the citation, the \$300 citation fee was never charged.

On December 16, 2015, the two rental units were posted by the City as unlicensed rental properties. The City inspector spoke with one of the tenants on site who provided the property owner's updated mailing address. The City inspector then sent a copy of the posting and related notices to both of the owner's known mailing addresses in Zimmerman.

On December 31, 2015, Mr. Sutherland did apply for a rental license in person. He had questions about

the Criminal Background Investigation Form and disclosed to staff that he had a history (no details were provided). City staff told him to be completely honest when filling out the form as the City's decision for the rental license is based on the information provided. Mr. Sutherland's information was then forwarded to the Coon Rapids Police Department to conduct a criminal background check as is required for all new rental property owners in Coon Rapids (City Code 12-904). The application requires the applicant to disclose if the applicant has ever been convicted of a crime - Felony, Gross Misdemeanor or Misdemeanor, and if yes, then to include the location, nature of the offense, and the disposition. Mr. Sutherland indicated on his application that he had been convicted of a gross misdemeanor for fifth degree sexual contact in 2011 but nothing more.

The criminal background investigation conducted by the Coon Rapids Police Department yielded three convictions for Mr. Sutherland. In 2003, Mr. Sutherland was arrested after officers responded to a domestic in progress at his residence. Mr. Sutherland admitted to assaulting his wife, which caused her several injuries. Mr. Sutherland was later convicted of Fifth Degree Domestic Assault.

In 2011, Mr. Sutherland was charged and convicted with Fifth Degree Criminal Sexual Conduct after inappropriately touching someone unknown to him at a fitness center. Again in 2011, Mr. Sutherland was issued a citation for Indecent Exposure after exposing himself multiple times to an employee at a fitness center.

In general, City Code 12-916(1)(d), provides that making fraudulent statements, misrepresentations, or false statements in the application is a basis for denying a rental license. Specifically, Mr. Sutherland's rental license was denied for failure to disclose all of these convictions.

On January 20, 2016, a letter was sent to Mr. Sutherland denying his application for a rental license and a refund of \$230 (\$275 of fees paid minus the \$45 background fee) was processed. A copy of the denial letter was also sent to the occupants of the two rental units (City Code 12-916(7)).

Mr. Sutherland submitted a written appeal to City staff's decision on January 22, 2016.

Findings to consider for this rental license denial appeal:

1. Mr. Sutherland submitted a rental license application
2. Mr. Sutherland omitted information on his rental license application
3. Mr. Sutherland failed to fully disclose all of his criminal convictions as required on the rental license application

RECOMMENDATION

Staff recommends the City Council affirm the denial of a rental license to Kurt Sutherland, property owner of 1610 and 1620 107th Avenue NW.

Attachments

Appeal

Rental Application

City Reports & Communication to Owner

January 21, 2016



To whom it may concern;

I am writing concerning the recent application for a rental license. The letter states that it was denied because I failed to disclose all criminal convictions.

I will honestly say I did not hide anything on purpose - I know all records are available to you. The two incidents (misdemeanor and gross misdemeanor) happened at the same time and the one trumped the other one so to speak so in my mind I always think of the gross misdemeanor as being the reason for my charge/sentence.

Even in my therapy sessions I often just mentioned the gross misdemeanor and my therapist on occasion had to remind me about the misdemeanor.

I have had no further criminal behavior for 5 years now and am voluntarily attending group sessions to stay accountable. I am staying law abiding.

It would be tragic if the license was denied. It would mean a young family with 2 kids would have to move and an elderly couple who are super renters and have a 2 year lease signed that was in place with the previous owner would have to leave. It would also put me into financial ruin.

If there is any other arrangement that you would find acceptable please let me know. Again I am sorry for not disclosing all information to you as I should have. If you would like me to come into the office to talk about it I am open to that.

Thank you in advance,


Kurt Sutherland

My therapists name is Halie Rostberg and she might be able to confirm that I have missed mentioning the misdemeanor on occasion if she remembers. Her number is 612-707-1834.

Also I have talked to my renters and asked them if they will testify that all our dealings have been professional and that they have had no issues with me. They've agreed to do that if needed.

CERTIFICATE OF GRADUATION



*This certifies that
Kurt Sutherland*

*is hereby awarded this certificate of graduation
for outstanding accomplishments and successful
completion of The Alpha Program*

Halie Rostberg, PsyD., LP
Outpatient Therapist

January 28, 2015

Douglas William, MS, LP
Director of Outpatient Services

Gerald T. Kaplan, LP
Executive Director



January 26, 2016

To whom it may concern:

This letter is an addition to the letter already submitted to the council.

I wanted to make sure there was not another charge/conviction that I hadn't reported. I knew that I had an incident around 2004 but was not sure what the exact disposition was. I don't think I ever saw it, or if I did I did not know if it was considered a misdemeanor.

I called the Sherburne County Courthouse this morning (01/26/2016) and spoke with Arlene Kroll in records and she looked at up and told me it was a misdemeanor. It was dated 12/29/2003, thirteen years ago.

Arlene sent me the disposition in email format and I did not see anything written on it about misdemeanor. So if I ever saw it and read it might have not registered with me what it was.

So again I need to apologize for being naive or ignorant to the charge/conviction. I did not try to hide this on purpose. I knew I had an incident but always thought that the charges had been dropped because I only had to attend an anger management class.

Sincerely,


Kurt Sutherland

The State of Minnesota vs. KURT EDWIN SUTHERLAND
Type Domestic Assault - TRF

Inactive

Statistical Closure

Case Status

11/29/2006 Converted Closed

Charge Disposition

Plea Disposition Court Decision

1.5TH DEGREE DOM ASSAULT

12/29/2003 (CNVLEVEL) 609.2242 (CNVOFFENSE)

Plea 01/27/2004 Guilty

Disposition 01/27/2004 Guilty

Court Decision 01/27/2004

Converted TCIS Criminal Sentence

Converted Disposition:

Pronounced: 90 Days

Probation: 2 Years

Probation NCIC: MN071013G - Sherburne Co Probation Off

Length of Stay: 2 Years

Probation Type: Supervised

Probation Agent: COURT SERVICES

Converted Disposition:

Fined: \$1000.00

Fine Stayed: \$700.00

Surcharge: \$60.00

Costs: \$10.00

Converted Disposition:

Comments:

NSSF, COMPLETE DOMESTIC ABUSE ASSESSMENT & FOLL REC., PROVIDE
COPY TO CRT SERVICES

court

file #

71-TX-03-011027

court admin : 763-765-4614 Orrene

Misdemeanor was
not written on disposition
Kurt Sutherland
1/27/2016

Item 1

Page 1 of 2

Rental License Application

For office use only: License No. _____	PID No. <u># 63303</u>
---	------------------------

RENTAL ADDRESS	
COMPLEX NAME: (if multi-family)	RENTAL ADDRESS: <u>1620</u> <u>1610 107th Ave NW, Coon Rapids</u>
DWELLING UNIT INFORMATION	
Type of dwelling: <input type="checkbox"/> single family <input checked="" type="checkbox"/> twin home <input type="checkbox"/> townhome <input type="checkbox"/> apartment	# of buildings: <u>1</u> total # of units: <u>2</u>

RENTAL PROPERTY OWNER INFORMATION			
OWNER NAME: <u>KURT SUTHERLAND</u>	DATE OF BIRTH: <u>08/24/1965</u>	PHONE: _____	
ADDRESS: <u>12601 PONDVIEW RD</u>	CITY: <u>ZIMMERMAN,</u>	STATE: <u>MN</u>	ZIP: <u>55398</u>
EMAIL ADDRESS: _____			

MANAGER CONTACT INFORMATION (if other than owner)			
CONTACT NAME:	DATE OF BIRTH:	PHONE:	
ADDRESS:	CITY:	STATE:	ZIP:
EMAIL ADDRESS: _____			

The undersigned hereby applies for a rental dwelling license and acknowledges receipt of a copy of City Ordinance Chapter 12-900; acknowledges the provisions of the Building Maintenance and Occupancy Code have been reviewed; and attests the subject premises will be operated and maintained according to the requirements contained therein, subject to applicable sanctions and penalties. The undersigned further agrees the subject premises may be inspected by the compliance official as provided in Chapter 12-900 of said ordinance. The undersigned hereby certifies that the above information is true and correct to the best of their knowledge.

Applicant Signature: _____

Date: 12-31-2015

Your property must pass a City of Coon Rapids rental property inspection conducted by a *Housing Inspector* before a rental license is issued. An inspection time will only be scheduled *after* Neighborhood Reinvestment Division staff have received and reviewed all five items listed on the 'Licensing of Rental Property Application Checklist.' Rental property inspections are performed Monday through Friday between 9:00 a.m. and 3:00 p.m.

Item 1

Page 2 of 2

Rental License Application

Applicant must initial each section and sign at the bottom.

By initialing each section you are acknowledging an understanding of key provisions of City Ordinance Chapter 12-900 regarding the Licensing of Rental Property.

1. 15 I understand that by owning rental property in Coon Rapids, I am operating a business in a residential zone of the city.
2. 15 I have received a copy of City Ordinance Chapter 12-900, Licensing of Rental Dwellings, and understand I am subject to the requirements contained therein.
3. 15 I or my manager has attended or is scheduled to attend a **Crime Free Rental Housing Phase 1** training or its equivalent (12-915).
4. 15 I understand the rental property must pass a rental property inspection conducted by a City Housing Inspector, and must continue to maintain the property accordance with provisions of 12-914.
5. 15 I understand I must screen all potential tenants by using a written rental application which contains sufficient information to conduct a Criminal Background check and a Credit History check (12-903).
6. 15 I must use a written lease for all tenants (12-903).
7. 15 In addition to a written lease, I understand my tenants must also sign a "Lease Addendum for Crime-Free/Drug-Free Housing" (12-903).
8. 15 I understand the City will conduct a Criminal Background Investigation on the Property Owner consistent with the provisions of 12-904.
9. 15 I understand I must provide 24 hour contact information for a person who resides within the twin city metropolitan service area who is responsible for code compliance of the rental property. This person will be either the owner or manager of the property (12-903).
10. 15 I understand the City Manager may deny or not renew a license and the City Council may revoke or suspend a rental license for failure to address any tenant or property issues as provided for in 12-916.
11. 15 In addition to any other sanctions or administrative penalties, it is a Misdemeanor to operate a rental dwelling in the City without a license for each building (12-921).
12. 15 I understand my rental license is not transferrable (12-905).
13. 15 I understand my rental license must be renewed annually (12-907).

The undersigned acknowledges that this is a partial listing of provisions within City Ordinance Chapter 12-900, and that a complete understanding of the ordinance can only be had by thoroughly reading it in its entirety. The purpose of providing this list is to address questions frequently asked by license applicants.

Applicant Signature: [Signature]

Date: 12/31/15

Item 2

Page 1 of 2

LICENSING OF RENTAL PROPERTY Criminal Background Investigation Form

City Code 12-904 Requires a criminal background investigation be conducted on the Property Owner listed on the Rental License Application. If the property is owned by more than one individual the City may request additional information from the license applicant regarding all Property Owners.

Rental Property Address(es): 1610 107th Ave NW, Coon Rapids

KURT E SUTHERLAND 8/24/1965
First Middle Last Name Date of Birth

12601 Pondview Rd Zimmerman MN 55398
Home Address City State Zip Code

Daytime Phone Number

Have you ever been convicted of a crime; Felony, Gross Misdemeanor or Misdemeanor?

☒ Yes
☐ No

If yes, list the location, nature of the offense, and the disposition: In 2011

5th degree sex contact / 609.3451.1

I understand that the City has the need to investigate my background and history in order to better evaluate my rental license application. I authorize any law enforcement official and any other person to furnish information regarding my criminal background to the City, and to permit the City to inspect and make copies of any such information. I further authorize any such persons to answer any questions concerning my criminal background. I fully understand that the information so obtained by the City may be used in the evaluation of my rental license application.

I hereby release any person who complies with this authorization and provides information from any and all liability for having done so.

DATE: 12/31/2015

SIGNATURE: _____

For office use only:

Date Received _____

Make and attach a photocopy of the government issued ID shown by the applicant.

The \$45.00 Background Investigation fee has been paid:

Cash Check Credit Card

Item 2

Page 2 of 2

LICENSING OF RENTAL PROPERTY
Minnesota Bureau of Criminal Apprehension
Computerized Criminal History (CCH) Data Request

The following information is necessary for the Police Department to properly identify the applicant for the required criminal background investigation. This information will be retained only by the Police Department, as required by law, and will not be included in any investigative report submitted to the City Council or representatives, and will not become a part of the public record or released to the public except as required by law.

KURT E SUTHERLAND
First Middle Last

8/24/1965
Date of birth

Male

Female

Race: WHITE

Note that "Race" cannot be left blank by the applicant. We are required to collect race data, as provided by the applicant, to perform a Computerized Criminal History.

NEIGHBORHOOD REINVESTMENT

Work Order: 62146
Date Initiated: 8/31/15

Rental Complaint

PIN: 223124110058

Address: 1610 107TH AVE

1610 107TH AVE

<u>Projected Start</u>	<u>Task Name</u>	<u>Assigned To</u>	<u>Finish Date</u>	<u>COMMENTS</u>
	COMPLAINT	SMALL, MATT	7/10/15	Information received from City Assessing Department regarding sale of property. New owner(s) would require new rental license if property is still being used as a rental.
	INSPECT	SMALL, MATT	7/14/15	Site visit to property - knocked on door and spoke with tenants in unit 1620. Tenants indicated that both units are leased and forwarded owner's contact info. LM with owner same day explaining license requirements.
	COMMUNICATE W OWNER	SMALL, MATT	7/20/15	New owner called. Discussed rental license requirements. Owner indicated that he would be in within the next 2 weeks to apply.
	CITATION ISSUED	SMALL, MATT	9/1/15	\$300 Citation issued to owner for unlicensed rental. No communication from owner as of 9.1.15. No application submitted. Citation mailed to address and address in Zimmerman (provided by tenant).
	INFORMATION	SMALL, MATT	9/2/15	Mail sent to Zimmerman address returned to sender as unable to forward. No other contact information from City Utilities.
	INFORMATION	SMALL, MATT	12/16/15	Posted unlicensed placard on units 1610 & 1620. Spoke with tenants in 1620 who gave staff updated owner address. Placard & notices left onsite with copy sent to both known owner addresses.
1/4/16	FOLLOW-UP INSPECTION	SMALL, MATT	1/19/16	Complaint WO closed and new rental WO opened.



ADMINISTRATIVE CITATION

Citation # 62146-25759

Administrative Citation Enclosed

KURT E SUTHERLAND
1610 107TH AVE NW
COON RAPIDS, MN 55433

ISSUE DATE: 9-1-2015

Property Address: **1610 107TH AVE**
COON RAPIDS, MN

PIN: 223124110058

This is an Administrative Citation issued under Coon Rapids City Code Chapter 2-1100. On 9/1/15 the following violation(s) of Coon Rapids City Code was found at the above property address:

<u>Compliance Date</u>	<u>Violation & Corrective Action</u>	<u>Code Section & Summary</u>	<u>Penalty</u>
10/01/2015	Please submit a rental license application and pay the appropriate fees.	12-903(1) Rental Dwelling License Required. -- No person shall occupy a rental unit prior to obtaining a rental license.	\$300

To avoid the above penalty/penalties, you **must** do one of the following:

1. Correct the violation(s) **on or before** the Compliance Date noted above. To be sure all issues are resolved, you may arrange for a City inspection **before** the Compliance Date noted above.
2. Contact the inspector below to arrange a time extension for compliance. You must sign a time extension agreement **on or before** the Compliance Date noted above.
3. Appeal the inspector's decision **on or before** the Compliance Date.

Refer to the attached/enclosed Administrative Citation Program brochure for the Notice of Appeal form, including instructions for requesting a time extension, and additional information.

Please note that if your property is not brought into compliance by the Compliance Date listed above, the City may enter your property to abate the violation (correct the conditions leading to the violation). If the city abates the violation, all costs of the abatement, along with any unpaid penalty, will be charged to your property taxes in a form of a Special Assessment.

Inspectors are often not in the office. If you would like to speak with the inspector regarding this citation, please call the number below.

If a second or subsequent Citation is issued within 180 days of the same or similar violation, the penalty will double. If you correct the conditions leading to the subsequent Citation prior to the Compliance Date, one half of the penalty will be waived. In addition to any penalties, you may also be subject to Excessive Consumption of Services fees as allowed by City Code Section 12-317 and/or abatement costs.

Continued on next page

1610 107TH AVE
CITATION # 62146-25759
PAGE 2

You can view the full City Code online at www.coonrapidsmn.gov/citycode or you can obtain the City Code Section(s) at Coon Rapids City Hall at 11155 Robinson Dr NW, Coon Rapids, MN 55433.

Matt Small
Housing Inspector
763-767-6575
MSmall@coonrapidsmn.gov

cc:



12/16/2015

Kurt E Sutherland
1610 107th Ave NW
Coon Rapids, MN 55433

SECOND NOTICE

Re: Rental property located at 1610 & 1620 107th Ave NW Coon Rapids, MN 55433

Your property is in violation of the Coon Rapids Rental Licensing Ordinance (City Code Chapter 12-900). It was determined on 12/16/2015 that your property is either without a rental license or has an expired rental license. This is the second notice of the violation. A violation notice has been posted at the property.

City Code Chapter 12-903 states that no person may operate a rental dwelling or rental dwelling unit in the City without a license for each building in which a rental dwelling or rental dwelling unit is located.

The required rental license application materials are available online at <http://coonrapidsmn.gov/703/Rental-Properties>, (renewal forms for expired licenses are available at City Hall) must be submitted to the City immediately or risk penalties and fines as outlined in City Code Chapters 12-917 and 2-1110.

No new tenants may move into the rental unit until the rental license application or renewal form has been submitted to the City and the City has issued the rental license or license renewal. *If the property is currently occupied, the existing tenants may remain living in the rental unit during this process.* The posting must remain on site and can only be removed by city staff.

Call immediately with any questions.

Sincerely,

Matt Small
Housing Inspector
763-767-6575

Leya Drabczak
Housing Inspector
763-767-6420

1610 & 1620 107th Ave
Coon Rapids, MN 55433

NOTICE

**THIS PROPERTY IS POSTED AS
NOT HAVING A CURRENT RENTAL LICENSE**

**A CURRENT RENTAL LICENSE IS REQUIRED FOR ALL RENTAL PROPERTIES
CITY CODE SECTION 12-900
12/16/2015**

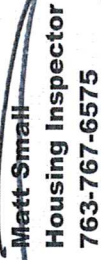


Compliance Official

Please contact one of the inspectors listed below for more information regarding Rental Licenses.

City of Coon Rapids
11155 Robinson Drive
Coon Rapids, Minnesota 55433

Leya Drabczak
Housing Inspector
763-767-6420


Matt Small
Housing Inspector
763-767-6575

It is unlawful to remove this posting without the consent of the City Inspector

NEIGHBORHOOD REINVESTMENT

Work Order: **63303**
Date Initiated: **1/4/16**

New Rental

PIN: 223124110058

Address: **1610 107TH AVE**

1610 107TH AVE

Projected Start	Task Name	Assigned To	Finish Date	COMMENTS
	APPLICATIONS	DRABCZAK, LEYA	12/31/15	received payment of 275.00 conversion fee previously paid this was a rental property in the past.
1/4/16	CRIME FREE TRAINING	DRABCZAK, LEYA		registered for coon rapids march 8th
	FEE PAID	DRABCZAK, LEYA	12/31/15	275.00 visa
	BACKGROUND CHECK	HARMONING, TANYA	1/12/16	Background check completed on 1/12/16 (c/n KA16000592); crim hist, dvs, and cr in-house records checked; GM 5th degree CSC, M Indecent Expo, 5th Degree Dom Assault; app only showed 1 of above.
	INFORMATION	SMALL, MATT	1/20/16	Staff denied license per PD recommendation based on owner omitting info regarding criminal convictions on app. Denial letter sent to owner - attached. Phone discussion with owner explaining that letter has been sent to tenants. Refund requested.
	INFORMATION	SMALL, MATT	1/22/16	Tenant in 1620 called with concerns about notice of denial. Explained to tenant that timeframe is established per policy but may change depending on council decision.
	INFORMATION	SMALL, MATT	1/22/16	Staff received denial appeal letter from owner with supporting document pertaining to owner's rehabilitation - attached.
	RENTAL INSPECTION			
	LICENSE ISSUED			
	LICENSE RENEWAL DUE			
	NEXT INSPECTION DUE			
	COMMUNICATE W OWNER			



January 19, 2016

Kurt Sutherland
12601 Pondview Rd
Zimmerman, MN 55398

Re: 1610 & 1620 107th Ave NW Coon Rapids, MN 55433

Dear Mr. Sutherland,

On January 4, 2016 the City of Coon Rapids received a rental application for the above property. The background check as required by Minnesota State Statute 299C.67-69 disqualified you from obtaining a rental license in the City of Coon Rapids due to failure to disclose all criminal convictions. (Coon Rapids City Code Section 12-916)

Your payment of \$230.00 will be refunded to you by the City Finance Department. You should expect to see the payment within 14 business days.

Your responsibility as the owner of 1610 & 1620 107th Ave is to notify the tenants of the need to vacate the property. The property must be vacant by February 29, 2016. If the property remains occupied by anyone other than the owner after that date, this matter may be referred to the City Attorney's Office for consideration of criminal charges. In addition, you may be subject to the penalties as described in City Code Section 12-900.

You have the right to appeal in writing to the City Manager's Office within 7 days of receiving notice.

Please contact me if you have any questions I will be happy to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Small".

Matt Small
Housing Official
City of Coon Rapids
763-767-6420
msmall@coonrapidsmn.gov

cc: Tenants at 1610 & 1620 107th Ave NW Coon Rapids, MN

ADVICE TO FINANCE DEPARTMENT
CITY OF COON RAPIDS

DATE: 1-19-16

The Inspection Department has received a request for refund of a rental dwelling license ~~that was paid twice in error.~~

Based on departmental policy, this request has been reviewed and
☒ Approved ☐ Not Approved.

PLEASE REFUND Kurt Sutherland
(Name)

12601 Pondview Rd Zimmerman, MN 55398
(Address)

in the amount of \$ 230.00 for a rental license at the following address.

1610 & 1620 107th Ave.
Coon Rapids, MN 55433

CODE: 1LRNT

DEPARTMENT: NRD

BY: [Signature]



City Council Regular

13.

Meeting Date: 02/02/2016

Subject: Consider Resolution 16-29, A Resolution Amending the 2016 Budget for the Joint Law Enforcement Council and Consider Agreement with JLEC

Submitted For: Brad Wise, Police Chief

From: Brad Wise, Police Chief

INTRODUCTION

The City of Coon Rapids is proposing to enter into an agreement with the Anoka County Joint Law Enforcement Council (JLEC) to host a 32 hour per week Assistant System Manager position to assist with the operation of the Anoka County Public Safety Data System (PSDS). The JLEC will reimburse the City of Coon Rapids for the costs of that position.

DISCUSSION

The JLEC is a collaboration between law enforcement agencies in Anoka County to reduce costs to taxpayers by providing the economy of scale for projects all of the entities have in common. The JLEC is currently working to fully implement the Public Data Safety System (PSDS) project that has been in progress since 2010. Elements of the PSDS project includes dispatch software, police and fire record creation and management, evidence management and training management. It is a big project that is nearing completion. To fully support the system, the JLEC (which has no employees) has contracted with the City of Fridley to provide a PSDS System Manager. The System Manager is responsible for the overall operation of the system and its many components. All costs for this position are paid for by the JLEC. It is now time to add an Assistant System Manager to support the System Manager. The JLEC has authorized up to \$60,000 for 2016 to pay a City to host what would be a 32 hour per week position. The Coon Rapids Police Department would like to be the position host.

The proposal is to enter into an agreement to accept up to \$60,000 from the JLEC to cover 80% of a full time employee (32 hours per week) to work as Assistant System Manager. The City would change the job description of an existing Police Technician to Assistant System Manager. The remaining 8 hours of the System Manager would be police department time that would be filled by meeting the ever increasing tech needs of the department, to include managing digital video systems. To back fill the loss of a Police Technician, the department proposes to add a full time receptionist, a position that is compensated at a lower rate than Police Technician.

RECOMMENDATION

Staff recommends the City Council:

1. Authorize an agreement with the Anoka County Joint Law Enforcement Council to provide a Public Safety Data System Assistant System Manager with 80% of that position's cost to be reimbursed by the JLEC.
2. Approve Resolution 16-29 amending the 2016 budget for Joint Law Enforcement Council system

managment.

BUDGET IMPACT:

For 2016, converting a Police Technician to Assistant System Manager and adding 10 months of a full time receptionist, with \$60,000 of the Asst. System Manager reimbursed by the JLEC will result in a net budget savings of \$1,690. Continuing through 2017 will result in a net cost of an estimated \$3,300.

Attachments

Agreement with JLEC

RS 16-29

**AGREEMENT FOR PUBLIC SAFETY DATA SYSTEM ASSISTANT SYSTEM
MANAGER SERVICES BETWEEN THE ANOKA COUNTY JOINT LAW
ENFORCEMENT COUNCIL AND THE CITY OF COON RAPIDS**

This Agreement (“Agreement”) is made and effective as of the 27th day of January, 2016, by and between the Anoka County Joint Law Enforcement Council, a Minnesota joint powers entity (hereafter referred to as “JLEC”), and the City of Coon Rapids, a Minnesota municipal corporation (hereafter referred to as “City”). Subject to the terms and conditions hereafter stated and based on the representations, covenants, agreements and recitals of the parties herein contained, the parties do hereby agree as follows:

SECTION 1
RECITALS

RECITAL NO. 1. The JLEC and City wish to address the need for a Public Safety Data System (PSDS) Assistant System Manager (“Assistant Manager”) to work under the indirect supervision of the PSDS System Manager to complete assigned project tasks and activities, as more fully described on the attached Exhibit A.

RECITAL NO. 2. The City is a member of the JLEC and is in a position to provide an individual to serve in this capacity.

RECITAL NO. 3. The JLEC desires to have the City provide a City employee to serve as a Assistant Manager for the JLEC, and is willing to contract with the City to receive the services of the Assistant Manager for 32 hours per week, and the City wishes to provide a City employee to serve as the (PSDS) Assistant System Manager, otherwise known as the Assistant Manager.

RECITAL NO. 4. Pursuant to Minn. Stat. Section 471.59, the City and the JLEC hereby enter into this Agreement for the provision of a City employee to provide Assistant Manager services to the JLEC.

SECTION 2
AGREEMENT

2.1 ASSISTANT MANAGER EMPLOYED BY CITY. City shall employ and assign one individual to serve as Assistant Manager for the JLEC. The System Manager shall be assigned to work with the JLEC and shall have the duties described in Section 2.5 of this Agreement.

The parties agree and acknowledge that the Assistant Manager shall be an employee of the City and shall remain under the direct supervision and control of the City. The City’s Police Chief shall be designated as the Assistant Manager’s supervisor and shall be responsible for all supervisory duties with respect to the Assistant Manager. The Assistant Manager shall not be considered an employee of the JLEC for any purpose, including but not limited to salary, wages,

other compensation or benefits, worker's compensation, unemployment, PERA, Social Security, withholding, liability insurance, personnel records, termination of employment, individual contracts, or other contractual rights. Consistent with and subject to the Minnesota Government Data Practices Act, including but not limited to Minn. Stat. Section 13.43, the City shall provide the JLEC Governance Committee with notice of any suspension or other discipline of the Assistant Manager as soon as is practicable. After consultation with the JLEC Governance Committee, the City shall have the exclusive right to dismiss or reassign the employee assigned to serve as the Assistant Manager, and to provide a replacement City employee to serve as the Assistant Manager.

2.2 INDEMNIFICATION. Each party shall be solely responsible and liable for the act(s) and omission(s) of its own corporation, officers, employees, officials, agents and representatives. Subject to the maximum liability limit provided by Minnesota Statute, Chapter 466, and to the extent allowed by law, each party shall indemnify, defend, and hold harmless the other from any and all damages, liability, judgments, claims, expenses, fees, costs, actions, demands and payments of whatsoever kind and nature arising from and/or pertaining to the act(s) and/or omission(s) of its own corporation, officers, employees, officials, agents and representatives related to the or arising out of the activities contemplated by this Agreement. This indemnity and waiver shall apply solely with respect to services provided pursuant to this Agreement. This indemnity and waiver shall not apply to the willful, wanton or intentional misconduct of the parties, their officers, employees, officials, agents and representatives. For liability purposes, the System Manager shall not be considered to be an officer, employee, official, agent or representative of the JLEC.

To the full extent permitted by law, this Agreement is intended to be and shall be construed as a "cooperative activity" and it is the intent of the parties that they shall be deemed a "single governmental unit" for the purposes of liability, all as set forth in Minnesota Statutes, Section 471.59, subd. 1a(a). Nothing herein shall be construed to waive or limit any immunity from or limitation on, liability available to either party, whether set forth in Minnesota Statutes, Chapter 466 or otherwise. Under no circumstances shall either party be required to pay on behalf of itself and the other party, any amounts in excess of the limits of liability established in Minnesota Statutes Chapter 466 applicable to any third party claim. The statutory limits of liability for one or both of the parties may not be added together or stacked to increase the maximum amount of liability for any third party claim.

Nothing contained herein shall be deemed a waiver by the City or the JLEC of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by a third party shall be subject to any governmental immunity defenses of the City and the JLEC and the maximum liability limits provided by Minnesota Statute, Chapter 466.

2.3 SELECTION AND ASSIGNMENT OF ASSISTANT MANAGER. The selection of the Assistant Manager shall be the decision of the City in consultation with the JLEC's Public Safety Data System Governance Committee. Should the Assistant Manager retire, resign, be reassigned, be discharged or otherwise be unable to perform his or her assignment, the City will select a replacement after discussion with the JLEC's Public Safety Data System Governance

Committee. The continued assignment of such Assistant Manager shall be at the discretion of the City, in consultation with the JLEC's Public Safety Data System Governance Committee.

2.4 ADMINISTRATIVE RESPONSIBILITIES. The scope and manner of how Assistant Management services are provided to the JLEC shall be at the sole direction of City. Standards of performance, personnel policies, discipline of the Assistant Manager, and other internal matters shall be under the authority of City. The JLEC may provide City with an evaluation of the services received or rendered by the Assistant Manager. The JLEC shall immediately notify the City in writing of any purported deficient performance or inappropriate conduct by the Assistant Manager.

2.5 DUTIES OF ASSISTANT MANAGER. The City shall provide a City employee who will serve as the Assistant Manager and provide the services outlined in the attached Exhibit A to the JLEC. The City employee shall work 32 hours per week (80% of a full-time employee) on behalf of the JLEC, with vacation, holidays, and other leave pursuant to the City's Personnel Policy and any applicable union contract. The services to be provided by the Assistant Manager may be amended by written agreement of the parties at any time.

2.6 ABSENCES. From time to time, the Assistant Manager may be absent due to vacation, illness, personal leave days, holidays, and other authorized leaves under the City's Personnel Policy or any applicable union contract. The City is not obligated to provide a replacement during such absences unless the Assistant Manager is on a leave of absence under the Minnesota Family Medical Leave Act, in which case the City will consult with the JLEC or its designee regarding the provision of a substitute employee to serve as the Assistant Manager. The amount owed by the JLEC under paragraph 2.10 is not reduced because of the absences.

2.7 SERVICE LOCATION. The Assistant Manager shall be assigned to a physical work location as determined by the City after consultation with the JLEC's Public Safety Data System Governance Committee. This physical work location shall be the Assistant Manager's work situs and any mileage expenses shall be calculated from that work situs.

2.8 EQUIPMENT AND SUPPLIES. The City shall provide any required training and necessary equipment and supplies for the Assistant Manager to perform their duties. Training specific to the PSDS shall be provided for by the JLEC.

2.9 COST. It is the intent of both parties that the JLEC shall incur 80% of the cost of the Assistant Manager with respect to the employment of the City employee who will serve as the Assistant Manager. To that end, for and in consideration of the City providing the Assistant Manager services in accordance with the terms of this Agreement, the JLEC shall pay City the following amounts set forth in Sections 2.9.1 and 2.9.2.

2.9.1 Basic Costs: The JLEC shall pay the City the Basic Costs set forth in Sections 2.9.1(a) through (c) and this obligation shall survive the termination of this Agreement:

- a. Upon the City's hiring of the Assistant Manager the JLEC shall pay the City a sum in equal monthly installments with each installment due on the first of each month, beginning the month subsequent to the City's hiring of the Assistant Manager and continuing until December 31, 2016 (the "First Year"), which shall serve as reimbursement of the City for 80% of costs related to the Assistant Manager's employment by the City, including the cost of salary, insurance, vacation/sick/PTO leave allowance, and other benefits commonly paid to other employees of the City. Each year thereafter (each a "Successive Year"), the JLEC shall pay the City, in twelve (12) equal monthly installments with each installment due on the first of each month the annual costs of the Assistant Manager's salary, insurance, vacation/sick/PTO leave allowance, and other benefits commonly paid to other employees of the City, which may change annually due to fluctuations in salary and benefit expense. Prior to its effective date, the City and the JLEC shall approve the Basic Costs in any Successive Year.
- b. The amount of all sums paid by the City to or on behalf of the Assistant Manager for vehicle or mileage expenses, cellular phone, data fees, and computer equipment costs, professional association dues, attending training and conferences approved by the PSDS Governance Committee, and any other ancillary costs incurred by the City as a result of the Assistant Manager's employment with the City. Such sums shall be paid within thirty (30) days of receipt by the JLEC of an invoice from the City.
- c. The amount paid to the City by the JLEC for costs and expenses set forth in this Section 2.9.1(a) through (d) for the First Year shall not exceed \$60,000.

Section 2.9.2. Ancillary Costs. In addition to the Basic Costs set forth in Section 2.9.1(a) through (c), the JLEC shall reimburse the City for the Ancillary Costs set forth in Section 2.9.2(a) and the obligation for reimbursement of Ancillary Costs shall survive the termination of this Agreement:

The amount of any other expenses incurred by the City with respect to the employment by the City of the Assistant Manager, including but not limited to, any additional salary or benefits related expenses above and beyond the sum of \$60,000 paid by the JLEC according to the terms of paragraph (a), as well as any costs above and beyond the \$60,000 incurred by the City related to workers compensation claims, medical leave, unemployment benefits, termination-related costs and expenses, including but not limited to litigation, mediation, veterans' preference hearings, and attorneys' fees. Wherever practicable, the City shall consult with the JLEC before such additional costs are incurred. Such sums shall be paid within thirty (30) days of receipt by the JLEC of an invoice from the City. The obligation of the JLEC to pay the City for any such costs shall survive the termination of this Agreement. Ancillary Costs excludes those employment-related expenses described in this Section 2.9.2 that, after a final determination, judgment or order issued by a court, administrative law judge or other tribunal of competent

jurisdiction, result from an employment action made in violation of state or federal law by the City acting on its own and without consultation with the JLEC.

2.10 PRIVACY OF JLEC DATA. Consistent with the requirements of the Minnesota Government Data Practices Act (Data Practices Act), the City certifies and agrees that all data created, collected, received, stored, used, maintained, or disseminated by the Assistant Manager must comply with the Data Practices Act.

SECTION 3 **TERM OF AGREEMENT**

3.1 TERM OF AGREEMENT. Unless terminated by either party in accordance with paragraph 3.2, the term of this Agreement shall be from January 27, 2016, to December 31, 2019.

3.2 TERMINATION. Either party may terminate this Agreement upon sixty (60) days advanced written notice of such termination. Notwithstanding the termination of this Agreement, the JLEC shall remain responsible for reimbursing the City for any of the post-termination related expenses associated with the Assistant Manager position set forth in Section 2 as long as the City shall continue to incur such expenses.

3.3 RENEWAL. This agreement may be renewed by written agreement of both parties.

SECTION 4 **MISCELLANEOUS**

4.1 NOTICE. Any notice, demand, or communication to the JLEC shall be addressed to the JLEC Chairperson at:

Anoka County JLEC
Attn: JLEC Chairperson
County Attorney's Office
2100 3rd Avenue
Anoka, MN 55303

Any notice, demand, or communication to the City shall be addressed to the City Manager at:

City of Coon Rapids
Attn: City Manager
11155 Robinson Dr. NW
Coon Rapids, MN 55433

4.2 SCOPE. It is agreed that the entire agreement of the parties is contained herein and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof.

4.3 BINDING AGREEMENT. The parties mutually recognize and agree that all terms and conditions of this Agreement shall be binding upon the parties and the successors and assigns of the parties.

4.4 GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

4.5 COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

4.6 NO THIRD PARTY BENEFIT. This Agreement is to be construed and understood solely as an Agreement between the parties hereto and shall not be deemed to create any rights in any other person. No person shall have the right to make claim that she or he is a third party beneficiary of this Agreement or of any of the terms and conditions thereof, which as between the parties hereto, may be waived at any time by mutual agreement between the parties hereto.

4.7 AMENDMENT. Any amendment to this Agreement shall be in writing and shall be executed by the same parties who executed the original Agreement or their successors in office.

4.8 WAIVER. The waiver of any party or parties of any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of any subsequent breach of same or any other term, covenant, or condition herein contained.

IN WITNESS WHEREOF, the JLEC and City have executed this Agreement effective as of the day and year first stated above. This Agreement shall not become effective unless and until it is approved by the City Council and the Board of Directors of the JLEC and is signed by the representatives listed below.

[The remainder of this page is intentionally left blank.]

CITY OF COON RAPIDS

Jerry Koch, Mayor

Matt Stemwedel, City Manager

ANOKA COUNTY JOINT LAW ENFORCEMENT COUNCIL


Tony Palumbo, JLEC Chairperson

Chris Olson, PSDS Governance Committee Chairperson

Attest:

EXHIBIT A

Position Summary

		
CITY OF COON RAPIDS		
POSITION DESCRIPTION		
ASSISTANT SYSTEM MANAGER		
Department/Division: Police	Supervisor: Deputy Police Chief	Classification: Non-Exempt
Prepared by: Human Resources		Date: December 2015
Approved by: City Manager		Date: December 2015

SUMMARY OF POSITION:

The Assistant System Manager will assist in the management and overall operation of an integrated Public Safety Data System (PSDS) providing critical and necessary 911, police and fire services to residents of and persons in Anoka County on a 24-hour basis, 365 days per year. The Assistant System Manager will be under the general supervision of the Deputy Police Chief in consultation with the PSDS Manager and the Anoka County Joint Law Enforcement Council ("JLEC") Public Safety Data System Governance Committee.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Essential duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them if the work is similar, related or a logical assignment to the position.

- Work with the record management staff from multiple Law Enforcement Agencies providing support in:
 - Establishing best practices in the use of the Records Management and Field Base Reporting portions of the system.
 - Setting standards, policies, and procedures in the use of the Records Management and Field Base Reporting portions of the system.
- Assist the PSDS Manager in the following items:

- Maintain the PSDS System in operational status at all times to provide critical public safety services 24/7/365.
- Be part of an on-call rotation to address infrequent but critical issues with the PSDS which may occur on nights, weekends or holidays.
- Oversee system upgrades and maintain system performance whenever necessary.
- Proactively seek ways to improve or enhance PSDS operations.
- Maintain PSDS compliance with all applicable laws and regulations.
- Report on PSDS status, identify future issues, and propose system changes or upgrades to maintain, improve, or expand service or reliability to the PSDS Governance Committee and/or the JLEC.
- Issue Tracking – Develop mechanisms to track PSDS issues, assign action items, track resolution of items, and escalate issues to appropriate level of attention. Document and communicate key decisions.
- Customer Service – Partner effectively with assigned liaisons at each member agency to understand how customers use the systems and determine their priorities.
- Form and maintain effective partnerships with IT staff with each of the member entities to coordinate PSDS integration with their systems.
- Communications – Maintain efficient communications to provide status updates to PSDS stakeholders, facilitate efficient meetings, and share information as needed.
- Change Management – Develop structured processes for decision making with the appropriate level of detail.
- Vendor Management – Manage vendor relationships, coordinate various vendor teams to ensure efficient achievement of goals, and understand service levels and support structure to effectively get needed support. Serve as the PSDS point of contact for vendors, including TriTech and its business partners, FDM (fire records), PCI (jail records), and any additional or future vendors
- Training – Coordinate PSDS training activities for PSDS users, including scheduling training, arranging for trainers, obtaining facilities and equipment, and may include functioning as a trainer.
- Manage these job functions to allow the PSDS Manager to take on a more active role with FDM.
- Attendance during regularly scheduled work hours and outside regular hours as necessary.
- Maintains positive professional working relationships with all staff levels, other jurisdictions and outside agencies and the general public.
- Performs essential position duties and responsibilities under the working conditions and physical demands described herein.
- Effective and respectful communication and interactions with other employees, supervisors, individuals from other organizations and citizen customers.
- Performs other related functions as apparent or delegated.

REQUIRED KNOWLEDGE AND ABILITIES:

To perform this position successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities

required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Knowledge of functions and relationships within the Anoka County criminal justice system and Anoka County public safety agencies.
- Knowledge of the ways in which computer technology has been applied in the maintenance of police information systems and records.
- Knowledge of the Minnesota Government Data Practices Act and applicable laws, codes and regulations governing the retention and dissemination of police reports and records.
- Knowledge of basic mathematical principles and correct English usage, including grammar, spelling, and punctuation.
- Knowledge of business computer user applications such as word processing, spreadsheet and presentation software in a Windows environment.
- Proficient knowledge with various common software applications, including: Microsoft Office, SharePoint, and PowerPoint.
- Familiarity with CJDN/HIPPA/CJIS/MGDPA confidentiality and security requirements as applicable to a public safety records system.
- Skills in using computer technology and applications in the performance of daily activities.
- Skills in project management, organizing and setting priorities for a variety of projects, and tasks in an effective and efficient manner to ensure meeting of deadlines.
- Skills in preparing clear and concise program documentation, user procedures, reports of work performed, and other written materials.
- Skills in communicating effectively and clearly, both orally and in writing.
- Ability to successfully pass comprehensive Minnesota Bureau of Criminal Apprehension background (includes being fingerprinted).
- Strong customer service, organization, communication, problem solving, conflict management, consulting and interpersonal skills.
- Ability to provide positive leadership and work direction of assigned employees, if required.
- Ability to prepare succinct, coherent and technically accurate reports and analysis.
- Ability to deal effectively and tactfully with other professionals, other agencies and the general public.
- Ability to exercise sound independent judgment within established guidelines.
- Able to communicate effectively and maintain effective working relationships.
- Ability to follow a structured methodology for system administration.
- Ability to handle complex issues and experience with appropriate escalation of issues.
- Ability to meet deadlines.
- Ability to maintain effective working relationships with all levels of the organization.
- Ability to perform specialized tasks involving initiative and independent judgment.
- Ability to perform duties with tact, diplomacy, and discretion.
- Ability to be detail oriented and follow through with tasks.
- Ability to maintain a team and service oriented approach to work.
- Must have the ability to accept criticism or discipline.
- Must strive to promote a cooperative atmosphere and exhibit a positive attitude.

MINIMUM QUALIFICATIONS:

A combination of training and experience substantially equivalent to the following:

Associate's degree in criminal justice, IT or related field. Proven experience in applying technology solutions to business processes. Working knowledge of the Anoka County Public Safety Data System.

PREFERRED QUALIFICATIONS:

Experience working with police, fire and 911 agencies and/or systems. Experience in large or regional public safety systems or projects.

PHYSICAL DEMANDS:

The physical demands described herein are representative of those that must be met by an employee to successfully perform the essential duties of the job. Reasonable accommodations may be made to enable individuals to perform the essential functions.

This work requires the occasional exertion of up to 50 pounds of force; work regularly requires sitting, speaking or hearing, using hands to finger, handle or feel and repetitive motions and frequently requires standing, walking, occasionally requires climbing or balancing, stooping kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work occasionally requires exposure to fumes or airborne particles and exposure to toxic or caustic chemicals; work is generally in a moderately noisy location (e.g. business office, light traffic).

EQUIPMENT/JOB LOCATION:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Duties performed will include the use of office supplies and equipment. Exposure to computer monitors in the office is typical. This position works closely with others. The noise level in the work environment is usually moderately quiet.

CONDITIONS OF EMPLOYMENT:

- Must comply with organizational and departmental policies.
- Must possess valid Class D Driver's License
- Must provide reliable motorized vehicle transportation for PSDS-related travel (mileage reimbursement provided)
- Must provide motor vehicle insurance as required by Minnesota Law.

The position description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The City of Coon Rapids is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

RESOLUTION NO. 16-29

**RESOLUTION AMENDING THE 2016 BUDGET FOR JOINT LAW ENFORCEMENT
COUNCIL SYSTEM MANAGEMENT**

WHEREAS, Section 1-700 of the City Charter provides for adoption of an annual budget and the subsequent amendments; and

WHEREAS, the City of Coon Rapids works with the Joint Law Enforcement Council (JLEC) for records management and dispatch; and

WHEREAS, the City of Coon Rapids has the opportunity to host the Assistant System Manager for the operation; and

WHEREAS, the JLEC would reimburse the City 80 percent of the cost of the employee; and

WHEREAS, the 2016 budget does not include funds for this position in the Police Department and associated revenues.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to amend the personal services budget in the amount of \$58,300; and

NOW, THEREFORE BE IT FURTHER RESOLVED by the City Council of Coon Rapids, Minnesota to amend charges for services revenues in the amount of \$60,000.

Adopted this 2nd day of February 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

14.

Meeting Date: 02/02/2016

Subject: Consider Resolution 16-28 Amending the 2016 Facility Construction Budget to Fund Card Readers and Security Cameras for City Center Building

Submitted For: Sharon Legg, Finance Director

From: Dalton Larson

INTRODUCTION

Council is being asked to approve Resolution 16-28 amending the 2016 Facility Construction budget to cover the cost and installation of three new card readers and two new security cameras for the City Center Building.

DISCUSSION

The two new security cameras will be placed on the East and South side of the City Center building providing for additional coverage and security for the staff and citizens within the building. Additionally, the three card readers will be situated at pertinent entrances within the City Center building to provide more improved building security and restricted access to City Staff Only areas. These locations will be the exterior door near the staff break room and the two exterior doors inside the Civic Center event room.

The total cost to purchase and install the three card readers and two security cameras is \$10,914. The attached resolution authorizes funds to be appropriated to the Facility Construction budget for this purchase. Although this was intended to be included in the 2016 Budget, it was inadvertently left out.

RECOMMENDATION

Approve Resolution 16-28 amending the 2016 Facility Construction Budget for the purchase and installation of security equipment for the City Center building.

Attachments

Resolution 16-28

RESOLUTION NO. 16-28

RESOLUTION AMENDING THE 2016 FACILITY CONSTRUCTION BUDGET

WHEREAS, Section 1-700 of the City Charter provides for adoption of an annual budget and the subsequent amendments; and

WHEREAS, the 2016 budget does not include funds for purchase of additional security equipment including three new security card readers and two new security cameras; and

WHEREAS, certain security cameras will be placed on the East and South side of the City Center building, and the three card readers will be located on the exterior door near the staff break room and the two exterior doors inside the Civic Center event room; and

WHEREAS, the total cost to purchase and install the equipment is estimated to be \$10,914; and

WHEREAS, capital outlay purchases must specifically be identified and funded per the City Code 2-803.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to appropriate funds in the Facility Construction budget of \$10,914 for the purchase and installation of three additional security card readers and two additional security cameras for use within the City Center of Coon Rapids.

Adopted this 2nd day of February, 2016, by the Coon Rapids City Council.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

15.

Meeting Date: 02/02/2016

Subject: Consider Resolution 16-30, Accepting the Donation of a Lifepak AED and Approve Budget Amendment for the Purchase of an additional Lifepak AED

Submitted For: Tim Anderson, Golf Pro/Manager **From:** Tim Anderson, Golf Pro/Manager

INTRODUCTION

Staff is requesting authorization to accept the donation of a Lifepak AED from NHL Alumni Minnesota and approve a budget amendment for purchase of an additional Lifepak AED. One AED is for CRIC and the other is for Bunker Hills Golf Clubhouse.

DISCUSSION

NHL Alumni Minnesota would like to donate a Lifepak AED. AEDs can help save lives, as precious minutes count when an individual suffers a sudden cardiac incident. The City has made Coon Rapids Heart Safe a priority and this will ensure that these facilities will have increased access to this life saving tool in an emergency.

RECOMMENDATION

Approve Resolution No. 16-30 to accept donation of a Lifepak AED from NHL Alumni Minnesota and approve budget Amendment for the purchase of an additional Lifepak AED.

Attachments

RS 16-30

RESOLUTION NO. 16-30

RESOLUTION TO ACCEPT DONATION OF A LIFEPAK AED FROM NHL ALUMNI MINNESOTA AND APPROVE BUDGET AMENDMENT FOR THE PURCHASE OF AN ADDITIONAL LIFEPAK AED

WHEREAS, the NHL Alumni Minnesota is donating an AED to the City of Coon Rapids if the City will match the donation with the purchase of another AED; and

WHEREAS, the total donation amount will be approximately \$1,860; and

WHEREAS, Minn. Stat. 465.03 allows cities to accept donations of real or personal property by resolution adopted by two-thirds majority of Council; and

WHEREAS, the City Council finds that it is in the best interest of its citizens to accept the donation and purchase another one; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota, to accept the donation of the AED; and

BE IT FURTHER RESOLVED the Coon Rapids amend the 2016 budget to include \$1,860 for the purchase of a second AED in the Rescue and first Aid Activity of the General Fund; and

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to the NHL Alumni Minnesota for the donated AED.

Adopted by the Coon Rapids City Council this 2nd day of February, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk